1/1/11



IN THE MATTER OF
THE APPLICATION OF
ADEL AND ARPLSANSUR —LEGAL OWNERS
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE NW/S OF TUFTON RIDGE
ROAD, 1800' E OF C/L OF COVER ROAD
(2304 TUFTON RIDGE ROAD)

8<sup>TH</sup> ELECTION DISTRICT 2<sup>ND</sup> COUNCILMANIC DISTRICT

- BEFORE THE
- COUNTY BOARD OF APPEALS
- OF
- \* BALTIMORE COUNTY
  - CASE NO. 08-140-SPH

### ORDER OF DISMISSAL OF PETITION FOR SPECIAL HEARING

This matter comes before the County Board of Appeals of Baltimore County on appeal filed by J. Carroll Holzer, Esquire, on behalf of Teresa Moore, Valleys Planning Council; Larry & Janice Bortner; Fran & Richard Yeazel; Martin Buckley; John Sophocles; and Don Schline from a decision of the Deputy Zoning Commissioner dated April 8, 2008, in which the subject request for relief was granted with conditions.

WHEREAS, the Board is in receipt of a letter of withdrawal dated, 9 December 2010, of the requested Petition for Special Hearing filed September 7, 2007 by Arnold Jablon, Esquire, on behalf of the Petitioners, Adel k. AND Arpi L.Sansur (a copy of which is attached hereto and made a part hereof);

ORDERED that said Petition filed in Case No. 08-140-SPH is WITHDRAWN AND DISMISSED, and that the Deputy Zoning Commissioner's Order of April 8, 2008, including any and all relief granted therein, is rendered null and void.

BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Panel Chairman

Maureen E. Murphy

Robert W. Witt



9 December 2010

Arnold E. Jablon

t 410-494-6298 f 410.821.0147 aejablon@venable.com

Ms. Theresa R. Shelton Administrator County Board of Appeals of Baltimore County 2<sup>nd</sup> Floor, Suite 203 105 West Chesapeake Ave Towson, Maryland 21204

> In re: Adel K. and Arpi L. Sansur 2304 Tufton Ridge Road Case No. 08-140 SPH

Dear Ms. Shelton:

Please be advised that I represent the Petitioners, Adel K. and Arpi L. Sansur, in this matter. The file was remanded to the Zoning Commissioner prior to a hearing being held. By copy to the Director of the Department of Permits and Development Management, on the behalf of Mr. and Mrs. Sansur, please accept this letter of my clients' intent to withdraw their Petition for special hearing filed in the instant matter.

The Petitioners have elected not to pursue the relief as originally requested in their original petition. My clients understand by their voluntary withdrawal of their petition, it will be as if they had never filed the petition to begin with. My client further understands by this withdrawal the relief granted by the Deputy Zoning Commissioner in the instant case is of no meaning and is now moot. This is without prejudice to their right or of any subsequent owners or contract purchasers of the property to seek similar relief in the future.



9 December 2010 Page 2

Thank you for your consideration.

Sincerely,

Arnold Jablon

c: J. Carroll Holzer, Esq.

# County Board of Appeals of Baltimore County



JEFFERSON BUILDING SECOND FLOOR, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180 FAX: 410-887-3182

January 7, 2011

David Karceski, Esquire Venable, LLP 210 W. Pennsylvania Ave, Ste 500 Towson, MD 21204 J. Carroll Holzer, Esquire 508 Fairmount Avenue Towson, MD 21286

RE: In the Matter of: Adel & Arpi Sansur - Legal Owner/Petitioner Case No.: 08-140-SPH

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Administrator

Thuriba Shelton KC
Theresa R. Shelton

TRS/klc Enclosure Duplicate Original Cover Letter

Adel & Arpi Sansur
Teresa Moore, Executive Director/The Valleys Planning Council
Fran & Richard Yeazel
John Sophocles
Stanley Kantor
Cynthia & Thomas Hutson,
Mike O'Malley
William J. Wiseman, III, Zoning Commissioner
Director of Permits and Development Management
Nancy West, Assistant County Attorney.

Thomas A. Church, P.E.
Larry & Janice Bortner
Martin Buckley
Don Schline
Christine & John Ramming
Edward Jones
Stephen Schloss
Office of People's Counsel
Director of Office of Planning
Michael Field, County Attorney

11/17/08

IN THE MATTER OF
THE APPLICATION OF
ADEL AND ARPI SANSUR –LEGAL OWNERS
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE NW/S OF TUFTON RIDGE
ROAD, 1800' E OF C/L OF COVER ROAD
(2304 TUFTON RIDGE ROAD)

8<sup>TH</sup> ELECTION DISTRICT 2<sup>ND</sup> COUNCILMANIC DISTRICT

- BEFORE THE
- \* COUNTY BOARD OF APPEALS
- \* OF
- BALTIMORE COUNTY
- \* CASE NO. 08-140-SPH

## **ORDER OF REMAND**

This matter comes before the County Board of Appeals of Baltimore County on appeal filed by J. Carroll Holzer, Esquire, on behalf of Teresa Moore, Valleys Planning Council; Larry & Janice Bortner; Fran & Richard Yeazel; Martin Buckley; John Sophocles; and Don Schline from a decision of the Deputy Zoning Commissioner dated April 8, 2008, in which the subject request for relief was granted with conditions.

This Board convened for public hearing on the scheduled date of October 29, 2008. Arnold Jablon, Esquire, appeared on behalf of the Petitioners, Adel & Arpi Sansur; J. Carroll Holzer, Esquire, appeared on behalf of Appellants; and Peter Max Zimmerman, People's Counsel for Baltimore County, appeared on behalf of that Office. At that time, and for reasons as stated on the record, Counsel for Petitioner requested that the matter be remanded to the Deputy Zoning Commissioner for consideration of the issues in light of the 2008 Comprehensive Zoning Maps as adopted by the Baltimore County Council. The Board notes no objection to this request.

WHEREFORE, upon consideration of said request for remand submitted in open hearing and on the record, and there being no opposition thereto, it is this \( \frac{1744}{1744} \) day of

Case No. 08-140-SPH /A and Arpi Sansur -Petitioners
Request for Remand to Deputy Zoning Commissioner

November, 2008, by the County Board of Appeals of Baltimore County

ORDERED that the above captioned case is REMANDED to the Deputy Zoning

Commissioner for Baltimore County for consideration of the issues in light of the 2008

Comprehensive Zoning Maps.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

Lawrence S. Wescott, Panel Chairman

Maureen E. Murphy

Robert W. Witt



## County Board of Appeals of Baltimore County

JEFFERSON BUILDING SECOND FLOOR, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180 FAX: 410-887-3182

November 17, 2008

J. Carroll Holzer, Esquire 508 Fairmount Avenue Towson, MD 21286 Peter M. Zimmerman, People's Counsel for Baltimore County Suite 204, The Jefferson Building 105 W. Chesapeake Avenue Towson, MD 21204

Arnold Jablon, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, MD 21204

RE: In the Matter of: Adel & Arpi Sansur -Petitioners

Case No. 08-140-SPH /Unopposed Request for Remand

Dear Counsel:

Enclosed please find a copy of the Board's Remand Order issued this date in the subject matter.

Very truly yours,

Kathleen Bianco Sc.

Kathleen C. Bianco
Administrator

#### Enclosure

c: Teresa Moore /Valleys Planning Council

Larry & Janice Bortner

Fran & Richard Yeazel

Martin Buckley John Sophocles Don Schline

Stanley Kantor

Adel K. Sansur

Thomas A. Church / Development Eng. Consultants, Inc.

Christine and John Ramming

Cynthia and Thomas Hutson

**Edward Jones** 

William J. Wiseman III /Zoning Commissioner

Pat Keller, Planning Director

Timothy M. Kotroco, Director /PDM

MAY - 7 2008
BALTIMORE COUNTY
BOARD OF APPEALS

IN RE: PETITION FOR SPECIAL HEARING

N/W side of Tufton Ridge Road, 1800'

E of c/l Dover Road

(2304 Tufton Ridge Road)

8th Election District
2nd Councilmanic District
Adel K. & Arpi L. Sansur
Petitioners & Legal Owners

- BEFORE THE DEPUTY
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
  - Case No.: 08-140-SPH

## **NOTICE OF APPEAL**

THE VALLEYS PLANNING COUNCIL, TERESA MOORE, EXECUTIVE
DIRECTOR, P.O. BOX 5402, TOWSON, MD 21204, and individuals LARRY & JANICE
BORTNER, 2308 TUFTON RIDGE ROAD, REISTERSTOWN, MD 21136; FRAN &
RICHARD YEAZEL, 2314 TUFTON RIDGE ROAD, GLYNDON, MD 21071; MARTIN
BUCKLEY, 2222TUFTON RIDGE ROAD, REISTERSTOWN, MD, 21136; JOHN
SOPHOCLES, 2226 TUFTON RIDGE ROAD, REISTERSTOWN, MD, 21136; AND DON
SCHLINE, 2303 TUFTON RIDGE ROAD, REISTERSTOWN, MD, 21136, Appellants in the
above captioned matter, by and through their attorney, J. Carroll Holzer, P.A., feeling aggrieved
by the decision of the Deputy Zoning Commissioner in Case No. 08-140-SPH, hereby note an
appeal to the County Board of Appeals from Findings of Fact and Conclusions of Law dated
April 8, 2008 attached hereto, and incorporated herein as Exhibit #1.

Filed concurrently with this Notice of Appeal is Appellants' check made payable to Baltimore County to cover the costs of the appeal. Appellants were parties below and fully participated in the proceedings.

RECEIVED

MAY 5 2008

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

Respectfully submitted,

CARROLL HOLZER, Esquire

Holzer & Lee

508 Fairmount Avenue Towson, Maryland 21286

410-825-6961

Attorney for Appellants

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 5 day of May, 2008, a copy of the foregoing

Notice of Appeal was mailed first class, postage pre-paid to Arnold Jablon, Esquire, Venable,

LLC, 210 Allegheny Ave., Towson, MD 21204; County Board of Appeals, Basement Old Court

House, 400 Washington Ave., Towson, MD 21204; and People's Counsel for Baltimore County,

Basement, Old Courthouse, 400 Washington Ave., Towson, M, 21204.

J. CARROLL HOLZER, Esquire

4/8/08

IN RE: PETITION-FOR SPECIAL HEARING

NW side Tufton Ridge Road, 1800 feet E of c/l Dover Road 8<sup>th</sup> Election District 2<sup>nd</sup> Councilmanic District (2304 Tufton Ridge Road)

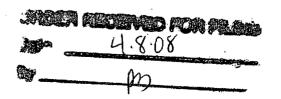
Adel K. and Arpi L. Sansur *Petitioners* 

- BEFORE THE -
- \* DEPUTY ZONING
- \* COMMISSIONER
- FOR BALTIMORE COUNTY
- \* Case No. 08-140-SPH

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Adel K. and Arpi L. Sansur, the legal property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two" to permit the re-subdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Sections 1A00.4 and 1B01.3A.7 of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

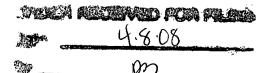
Appearing at the requisite public hearing in support of the requested special hearing was Petitioner Adel K. Sansur, his attorney, Arnold Jablon, Esquire, and Petitioners' engineering consultant, Thomas A. Church, with Development Engineering Consultants, Inc. Also appearing in support of the requested relief were Christine and John Ramming of 2219 Tufton Ridge Road, Cynthia and Thomas Hutson of 2205 Tufton Ridge Road, and Edward Jones of 2312 Tufton Ridge Road. Appearing as Protestants opposed to the requested relief were Mike O'Malley of 2322 Tufton Ridge Road, John Sophocles of 2226 Tufton Ridge Road, Don Schline of 2303 Tufton Ridge Road, Richard Yeazel of 2314 Tufton Ridge Road, Stephen Schloss of 2311 Tufton Ridge



Road, and Teresa Moore on behalf of the Valleys Planning Council. Also appearing on behalf of Protestants was their attorney, J. Carroll Holzer, Esquire.

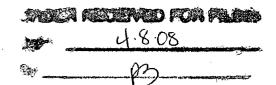
Testimony and evidence offered revealed that the subject property is an irregular-shaped parcel containing approximately 265,565 square feet or 6.097 acres, more or less, zoned R.C.5. The property is located on the north side of Tufton Ridge Road and east of Dover Road in the Worthington Valley area of Baltimore County. It is improved with an existing large, two-story dwelling, originally constructed in 1979 and which has been added onto over the ensuing years. The dwelling is served by a circular driveway with two means of access on Tufton Ridge Road and is also improved with a pool and tennis court. As shown on the colored site plan which was marked and accepted into evidence as Petitioners' Exhibit 1A, Petitioners request special hearing relief to amend the Final Development Plan for "Tufton Farms, Section Two" in order to subdivide their lot into two lots -- Lot 10-A and Lot 10-B.

In support of the requested relief, Mr. Jablon called Mr. Church, Petitioners' consulting engineer. Mr. Church submitted a copy of his resume which was marked and accepted into evidence as Petitioners' Exhibit 2. Mr. Church has been an engineer for almost 50 years and is licensed in the State of Maryland. He has been President and CEO of Development Engineering Consultants, Inc. since 1985, specializing in site engineering and surveying. Mr. Church has also been responsible for a number of private sector projects in Maryland and has testified as an expert numerous times before this Commission, the Board of Appeals of Baltimore County, and the Circuit Court for Baltimore County in the areas of land use, development, final development plans and amendments to those plans, and interpretation of the zoning regulations and development regulations. He was offered and accepted as an expert in this case.



Mr. Church indicated he is familiar with the site, having visited the site on several occasions, and prepared the site plan. As shown on the site plan, the subject property would essentially be split down the middle, north-south, taking into account forest buffer, forest conservation, and other environmental constraints on the property. Lot 10-A would be located on the east side of the property and would include the original dwelling, building envelope, wells, and septic reserve area, and would consist of approximately 3.188 acres. The means of ingress and egress would also remain unchanged. Lot 10-B would be located on the west side of the property and would include the proposed dwelling, building envelope, well, and septic reserve area as shown on Petitioners' Exhibit 1A, and would consist of approximately 2.5 acres. A new driveway leading to the proposed dwelling would be cut into Tufton Ridge Road approximately 350 feet west of the closest driveway for Lot 10-A. The proposed driveway for Lot 10-B would also be located approximately 50 feet east of an existing panhandle driveway. This panhandle driveway is made up of three 10 foot wide strips serving the properties not immediately adjacent to Tufton Ridge Road, including the Bortner property at 2308 Tufton Ridge Road, the Dulany property at 2310 Tufton Ridge Road, and the Jones property at 2312 Tufton Ridge Road.

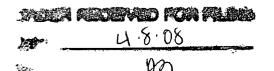
Mr. Church indicated the areas that would be most visually affected by the proposed creation of Lot 10-B are the aforementioned Bortner, Dulany, and Jones properties due to their proximity to Lot 10-B. The Bortner dwelling is located directly north of the proposed dwelling on Lot 10-B, the Dulany dwelling located northwest, and the Jones dwelling is located west of the proposed dwelling on Lot 10-B. Those dwellings are located at least several hundred from the proposed new dwelling; however, in order to provide additional screening, Mr. Church indicated that buffers will be created by the planting of various trees along the north and west boundaries of the property, as well as the southern boundary fronting Tufton Ridge Road. These trees include



Pin Oaks and Willow Oaks, Sugar Maples, and White Spruces as depicted on the Schematic Landscape Plan which was marked and accepted into evidence as Petitioner's Exhibit 3.

Mr. Church then discussed the density allowance for the development known as "Tufton Farms, Section Two." As shown on the final development plan dated January 25, 1977 which was marked and accepted into evidence as Petitioner's Exhibit 4, the original dwelling unit calculation would have allowed 20 dwellings in the R.C.2 area and 57 dwellings in the R.C.5 area for a total of 77 dwellings. At that time, the developer proposed 15 dwellings in each zoned area for a total of 30 dwellings. Mr. Church also noted that the zoning has been virtually unchanged from the 1976 Official Zoning Map, which was marked and accepted into evidence as Petitioner's Exhibit 6, to the 2004 Official Zoning Map, which was marked and accepted into evidence as Petitioner's Exhibit 7. The Tufton Farms development continues to be zoned R.C.2 and R.C.5; the only addition has been a small sliver of R.C.4 that has been inserted where a stream leading to a pond is located between Lots 3, 5, 6, and 7 near Dover Road and Tufton Ridge Road. In sum, Mr. Church indicated that Petitioner's plan to create one additional lot from his property is well within the permitted number of lots in the R.C.5 zone and constitutes a permissible use of the property.

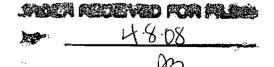
Mr. Church then addressed the criteria set forth in Section 502.1 of the B.C.Z.R. in the context of the special hearing request to amend the Final Development Plan for "Tufton Farms, Section Two." In order for an amendment for a final development plan to be approved, the amendment must meet the Section 502.1 criteria. After evaluating the subject property and the particulars of Petitioner's requested minor subdivision, as well as the relevant criteria, Mr. Church offered his expert opinion that Petitioner's plans will not be detrimental to the health, safety, or general welfare of the locale. In particular, he indicated that the proposed minor subdivision —with the addition of one single lot — would not cause congestion on the roads or streets, would not



create a potential hazard from fire, panic or other danger, would not tend to overcrowd the land and cause undue concentration of population, would not interfere with adequate provisions for public requirements, conveniences or improvements -- including sewer and water, and would not interfere with adequate light and air. He also indicated that Petitioner's plans would not be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of the zoning regulations, would not be inconsistent with the impermeable surface and vegetative retention provisions of the regulations, nor be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 Zone.

Finally, Mr. Church introduced renderings of the proposed new dwelling to be situated on proposed Lot 10-B which were marked and accepted as Petitioner's Exhibits 9A and 9B, as well as a number of additional photographs showing Petitioner's present home (marked and accepted into evidence as Petitioner's Exhibits 10A through 10E) and the properties and dwellings surrounding Petitioner's property (marked and accepted into evidence as Petitioner's Exhibits 11A through H). Mr. Church then introduced the comments from the Office of Planning dated November 28, 2007 which was marked and accepted into evidence as Petitioner's Exhibit 13, indicating the proposed development meets the R.C.5 performance standards.

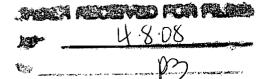
Testifying in Mr. Holzer's case in opposition to the requested relief was Mike O'Malley of 2322 Tufton Ridge Road (Lot 5), John Sophocles of 2226 Tufton Ridge Road (Lot 11), Don Schline of 2303 Tufton Ridge Road (Lot 28), Richard Yeazel of 2314 Tufton Ridge Road (Lot 6), and Stephen Schloss of 2311 Tufton Ridge Road (Lot 29). These witnesses each offered their own individual testimony, but the clear tenor and theme of their remarks was that Petitioner's proposed subdivision would have a negative effect on the Tufton Ridge neighborhood for a number of



reasons including the following: that the original subdivision in 1977 was for a luxury development, with large homes and large lots in a very wooded environment and that Petitioner's minor subdivision will forever change the texture and character of the neighborhood; that further subdivisions of the properties within Tufton Farms is not what was intended by the original development; and that most of the residents in the neighborhood were attracted to the development by the large, wooded lots and rural, country atmosphere. To allow this additional subdivision would send the wrong message vis-à-vis preserving these types of exclusive neighborhoods.

The final witness to testify was Teresa Moore with the Valleys Planning Council (VPC). Ms. Moore also submitted a letter dated November 27, 2008 which was marked and accepted into evidence as Protestant's Exhibit 1. In the letter and in her testimony, Ms. Moore indicated that the VPC opposes the request to re-subdivide Petitioner's property or any other property within the Tufton Farms subdivision because, as indicated by other witnesses, further subdivision would violate the intent of the original subdivision plan that was based on large, wooded lot design. VPC also expressed concern about potential environmental impacts. Mr. and Mrs. Larry L. Bortner could not attend the hearing, but submitted a letter dated February 7, 2008. This letter was marked and accepted into evidence as Protestant's Exhibit 2 and expressed the similar opposition as the other nearby neighbors who testified.

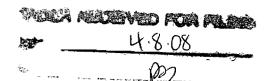
The Zoning Advisory Committee (ZAC) comments from the participating County and State agencies were received and are contained within the case file. The only substantive comments were received from the Office of Planning dated November 28, 2007 which indicates that Office reviewed the grading plan, map, architectural elevation drawings, photographs and written submissions. As part of the minor subdivision review, the Office made a finding that Petitioner's proposed residential development meets the R.C.5 performance standards in Section



1A04.4 of the B.C.Z.R., pending approval of the special hearing request. The comment also indicates that any substantial changes to the site or proposed structure will require further review and approval prior to the issuance of a building permit.

In considering whether the requested amendment to the Final Development Plan should be approved, the standard to be applied is the special exception criteria found in Section 502.1 of the B.C.Z.R. In addition to the 502.1 criteria, when considering an amendment to an FDP, it must also be determined that the amendment will be consistent with the spirit and intent of the original plan. Based on the testimony and evidence presented, I am persuaded to grant the special hearing relief and approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two" to permit the re-subdivision of Lot 10, Plat 2, Section 2, into two (2) lots as proposed. Petitioner's expert, Mr. Church, offered the uncontroverted expert testimony that the proposed minor subdivision would not be detrimental to the health, safety, and general welfare of the locale, was consistent with the property's zoning classification, was within the spirit and intent of the zoning regulations, and met all the additional special exception criteria set forth in Section 502.1 of the B.C.Z.R. He also offered the opinion that the existing topography, environmental areas, forest buffers, as well as Petitioner's plans for additional landscaping and screening, will result in very little, if any, impact to the adjacent and surrounding properties. In addition, I am persuaded that the amendment will not violate or be inconsistent with the spirit and intent of the original plan. In short, in my judgment, Petitioner's plans are appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale.

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



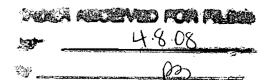
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this \_\_\_\_\_\_ day of April, 2008 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two" to permit the re-subdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Sections 1A00.4 and 1B01.3A.7 of the B.C.Z.R. is herby GRANTED subject to the following restrictions which are conditions precedent to the relief granted herein:

- 1. Petitioners may apply for 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. Any substantial changes to the site or proposed structure will require Petitioner to undergo further review and approval by the Office of Planning prior to the issuance of a building permit.

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





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

April 8, 2008

ARNOLD JABLON, ESQUIRE VENABLE LLP 210 ALLEGHENY AVENUE TOWSON, MD 21204

> Re: Petition for Special Hearing Case No. 08-140-SPH Property: 2304 Tufton Ridge Road

Dear Mr. Jablon:

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: Adel K. and Arpi L. Sansur, 2304 Tufton Ridge Road, Reisterstown MD 21136 Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212 J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmount Avenue, Towson, MD 21286 Please See Attached List



## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County\_

for the property located at 2304 Tufton Ridge Road		
which is presently zoned RC 5	,	
must he filed in nerson in the zoning office in triplicate	with orio	inal cianaturas

(This petition <u>must</u> be filed in person, in the zoning office, in triplicate, with original signatures.)

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

an amendment to the Final Development Plan entitled "Tufton Farms, Section Two" to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to section 1A00.4 and 1B01.3A.7. of the BCZR

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

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

Contract Purchaser/Lessee:	Legal Owner(s):
	Adel K. Sansur
Name - Type or Print	Name - Type or Print
Signature	Signature Arpi L. Sansur
Address Telephone No.	Name - Type-or Print
City State Zip Code	Signature
Attorney For Petitioner:	2304 Tufton Ridge Road
	Address Telephone No.
Arnold Jablon	Reisterstown, Maryland 21136
Name - Type or Print	City State Zip Code  Representative to be Contacted:
Signature	•
Veríable, LLP	Arnold Jablon
Company	Name
210 Allegheny Ave 410 494-6298	210 Allegheny Ave 410 494-6298
Address Telephone No.	Address Telephone No.
Towson, Maryland 21204	Towson, Maryland 21204
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
ES	TIMATED LENGTH OF HEARING
Case No. 08-140-5PH UN	NAVAILABLE FOR HEARING

## DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

# ZONING DESCRIPTION FOR 2304 TUFTON RIDGE ROAD 8<sup>TH</sup> ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the northwest side of Tufton Ridge Road, 50 feet wide, more or less, said point being 1,800 feet, more or less, from the centerline of the nearest improved intersecting street, Dover Road, 70 feet wide, more or less. Thence the following courses and distances: 1) North 30 degrees 56 minutes 52 seconds West 100.00 feet, 2) North 15 degrees 38 minutes 52 seconds West 200.00 feet, 3) North 53 degrees 10 minutes 14 seconds East 603.51 feet, 4) South 35 degrees 50 minutes 52 seconds East 502.00 feet, 5) South 75 degrees 05 minutes 33 seconds West 336.04 feet, 6) a curve to the left with a radius of 1,350.00 feet, arc length of 377.94 feet and a chord with a bearing of South 64 degrees 04 minutes 21 seconds West, and distance of 376.91 feet to the point of beginning.

Containing 247,715 square feet or 5.687 acres of land, more or less.

Being Lot 10 as shown on a plat entitled Section 2, Plat 2, Tufton Farms recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 41, Folio 91.

Also being the same lot described in a deed dated November 6, 1998 recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 13333, Folio 442.

Also known as 2304 Tufton Tiscon in the 8th Election District.

Our Contract No.: 07-102

July 30, 2007

08-140-SPH

## 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: #08-140-SPH

2304 Tufton Ridge Road

N/west side of Tufton Ridge Road, 1800 feet east of centerline of Dover Road

Bth Election District - 2nd Councilmanic District.

Legal Owner(s): Adel K. & Arpi L. Sansur Special Hearing: to approve an amendment to the Final Development Plan entitled Tufton Farms, Section Two. to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Section 1,1A00.4 and 1B01.3A.7. of the BCZR.

Hearing: Monday, Oecember 3, 2007 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) 887-3868.

(2) For information concerning the File and/or Hearing. Contact the Zoning Review Office at (410) 887-3391. 155161 11/234 Nov: 15

## CERTIFICATE OF PUBLICATION

11 15 , 2007
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 11 15 .2007.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

## **CERTIFICATE OF POSTING**

RE: Case No.: <u>08-140-5PH</u> Petitioner/Developer: ADEL K. Date of Hearing/Closing: 12-3-07 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Kristen Matthews {(410) 887-3394} Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: The sign(s) were posted on (Month, Day, Year) Sincerely, SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)



Requested: June 25, 2008

## **APPEAL SIGN POSTING REQUEST**

**CASE NO.: 08-140-SPH** 

2304 Tufton Ridge Road

8<sup>th</sup> ELECTION DISTRICT

APPEALED: 5/5/2008

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

## \*\*\*COMPLETE AND RETURN BELOW INFORMATION\*\*\*\*

## **CERTIFICATE OF POSTING**

TO: Baltimore County Board of Appeals
The Jefferson Building, Suite 203
102 W. Chesapeake Avenue
Towson, MD 21204

Attention:

Kathleen Bianco

Administrator

CASE NO.: 08-140-SPH

LEGAL OWNER: ADEL & ARPI SANSUR

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

2304 Tufton Ridge Road N/w side of Tufton Ridge Rd, 1800 ft e/of c/line of Cover Road

The sign was posted on	9/4/8	, 2008.	RECEIVE
By:	1/2/21		OCT 0 9 2008
(Signature of Sign Po	ster)	Chan	BALTIMORE COUNT BOARD OF APPEALS
(Print Name)	- JO 17	CITEDA	



JAMES T. SMITH, JR. County Executive

October 16, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
RING
Development Management

## **NEW NOTICE OF ZONING HEARING**

Zoning Act and Regulations

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: 08-140-SPH

2304 Tufton Ridge Road

N/west side of Tufton Ridge Road, 1800 feet east of centerline of Dover Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Adel K. & Arpi L. Sansur

<u>Special Hearing</u> to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Section 1A00.4 and 1B01.3A.7 of the BCZR.

Hearing: Monday, December 3, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director
TK:klm

C: Arnold Jablon, Venable, 210 Allegheny Avenue, Towson 21204 Mr. & Mrs. Sansur, 2304 Tufton Ridge Road, Reisterstown 21136

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, NOVEMBER 17, 2007.

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



## County Board of Appeals of Baltimore County

JEFFERSON BUILDING SECOND FLOOR, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180

Hearing Room #2, Second Floor

Jefferson Building, 105 W. Chesapeake Avenue

August 11, 2008

#### **NOTICE OF ASSIGNMENT**

CASE #: 08-140-SPH

IN THE MATTER OF: ADEL AND ARPI SANSUSR -LO /Petitioners 2304 Tufton Ridge Road 8<sup>th</sup> Election District; 2<sup>nd</sup> Councilmanic District

4/08/2008 – D.Z.C.'s decision in which requested zoning relief was GRANTED with restrictions.

## **ASSIGNED FOR:**

## WEDNESDAY, OCTOBER 29, 2008 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Counsel for Appellants /Protestants

Appellants /Protestants

: J. Carroll Holzer, Esquire

: Teresa Moore /Valleys Planning Council

Larry & Janice Bortner
Fran & Richard Yeazel

Martin Buckley John Sophocles Don Schline

Counsel for Legal Owner /Petitioner

: Arnold Jablon, Esquire

Legal Owner /Petitioner

: Adel K. Sansur

Thomas A. Church /Development Eng. Consultants, Inc.

Christine and John Ramming Cynthia and Thomas Hutson Edward Jones

Stanley Kantor

Office of People's Counsel William J. Wiseman III /Zoning Commissioner Pat Keller, Planning Director Timothy M. Kotroco, Director /PDM



JAMES T. SMITH, JR. County Executive

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

November 28, 2007

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, Maryland

Dear Mr. Jablon:

RE: Case Number: 08-140-SPH, 2304 Tufton Ridge 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 17, 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

Adel K. Sansur Arpi L. Sansur 2304 Tufton Ridge Road Reisterstown 21136



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

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

Maryland Department of Transportation

Date: SEPT, 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. 8-140-9PH 2304 THETON ROAD SANSHR 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. 8-146-50 11.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

FOR Engineering Access Permits

Division

SDF/MB

## 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, 40,141, 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

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE: September 26, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2304 Tufton Ridge Road

INFORMATION:

Item Number:

8-140

Petitioner:

Adel & Arpi Sansur

Zoning:

RC 5

Requested Action:

Special Hearing

The petitioner requests a special hearing to amend the final development plan of Tufton Farms Plat 2 Section 2 to allow the resubdivision of Lot 10 into two lots. The applicant is also processing a minor subdivision known as the Sansur Property. A covenant restricting future subdivision of the existing lots within Tufton Farms expired July 1, 2007.

In accordance with Section 1A04.4 (Performance standards) of the BCZR, The Office of Planning reviewed a grading plan, map, architectural elevation drawings, photographs and a narrative. On August 29, 2007 a finding of compliance with the RC 5 was issued as part of the minor subdivision review. (See Sansur Property 3<sup>rd</sup> review comments.)

## SUMMARY OF RECOMMENDATIONS:

If the Zoning Commissioner grants the requested special hearing it must be subject to all plans and drawings being in compliance with the RC5 performance standards and receive a finding, to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

- 4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Reviewed by

Division Chief AFK/LL: CM

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

DATE: September 26, 2007

HOWEMBER 30, 2007

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2304 Tufton Ridge Road

INFORMATION:

Item Number:

8-140

Petitioner:

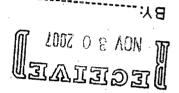
Adel & Arpi Sansur

Zoning:

RC 5

Requested Action:

Special Hearing



The petitioner requests a special hearing to amend the final development plan of Tufton Farms Plat 2 Section 2 to allow the resubdivision of Lot 10 into two lots. The applicant is also processing a minor subdivision known as the Sansur Property. A covenant restricting future subdivision of the existing lots within Tufton Farms expired July 1, 2007.

In accordance with Section 1A04.4 (Performance standards) of the BCZR, The Office of Planning reviewed a grading plan, map, architectural elevation drawings, photographs and a narrative. On August 29, 2007 a finding of compliance with the RC 5 was issued as part of the minor subdivision review. (See Sansur Property 3<sup>rd</sup> review comments.)

#### SUMMARY OF RECOMMENDATIONS:

If the Zoning Commissioner grants the requested special hearing it must be subject to all plans and drawings being in compliance with the RC5 performance standards and receive a finding, to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. Prior to the issuance of building permits, provide the following to the Office of Planning:

- Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
- Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.

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

Reviewed by:

Deputy Director: AFK/LL: JL



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director June 24, Bepariment of Permits and Development Management

Kotroco

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Jablon:

RE: Case: 08-140-SPH, 2304 Tufton Ridge Road

Please be advised that an appeal of the above-referenced case was filed in this office on May 5, 2008 by J. Carroll Holzer, on behalf of his clients. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Adel & Arpi Sansur, 2304 Tufton Ridge Road, Reisterstown 21136
Thomas Church, 6603 York Road, Baltimore 21212
J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286
See Attached List

RECEIVED
JUN 2 5 2008

BALTIMORE COUNTY BOARD OF APPEALS RE: PETITION FOR SPECIAL HEARING \*
2304 Tufton Ridge Road; NW/S Tufton Ridge
Road, 1800' E of c/line Dover Road \*
8<sup>th</sup> Election & 2<sup>nd</sup> Councilmanic Districts
Legal Owner(s): Adel K & Arpi Sansur \*
Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

08-140-SPH

## ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all 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 2<sup>nd</sup> day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

OCT 02 2007

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Рег....

## **APPEAL**

Petition for Special Hearing
2304 Tufton Ridge Road

N/w Side of Tufton Ridge Rd., 1800 ft. e/of c/line of Cover Rd.

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District
Legal Owners: Adel & Arpi Sansur

Case No.: 08-140-SPH

Petition for Special Hearing (September 7, 2007)
Zoning Description of Property
Notice of Zoning Hearing (October 16, 2007)
✓ Certification of Publication (The Jeffersonian – November 15, 2007)
Certificate of Posting (November 16, 2007) by SSG Robert Black
✓ Entry of Appearance by People's Counsel (October 2, 2007)
✓ Petitioner(s) Sign-In Sheet – 1 Sheet
✓ Protestant(s) Sign-In Sheet - None 万 I SHEET
✓Citizen(s) Sign-In Sheet – 1 Sheet ∠ None
Zoning Advisory Committee Comments
Petitioners' Exhibit  14 Exhibits as listed on the Exhibit Sheet for Petitioner/Developer
Protestants' Exhibits: 2 Exhibits as listed on the Exhibit Sheet for Protestant
Miscellaneous (Not Marked as Exhibit) - None
Deputy Zoning Commissioner's Order (GRANTED – April 8, 2008)
Notice of Appeal received on May 5, 2008 by J. Carroll Holzer
c: People's Counsel of Baltimore County, MS #2010

People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Arnold Jablon
Adel & Arpi Sansur
Thomas Church
J. Carroll Holzer
See Attached List

date sent June 25, 2008, klm



CASE #: 08-140-SPH

### IN THE MATTER OF: ADEL AND ARPI SANSUSR -LO /Petitioners 2304 Tufton Ridge Road 8<sup>th</sup> Election District; 2<sup>nd</sup> Councilmanic District

SPH – To approve amendment to FDP entitled "Tufton Farms, Section Two" to permit re-subdivision of Lot 10, Plat 2, Section 2 into two (2) lots.

4/08/2008 - D.Z.C.'s decision in which requested zoning relief was . **GRANTED** with restrictions.

8/11/08 - Notice of Assignment sent to following; assigned for hearing on Wednesday, October 29, 2008, at 10:00 a.m.:

J. Carroll Holzer, Esquire Teresa Moore /Valleys Planning Council Larry & Janice Bortner Fran & Richard Yeazel John Sophocles Don Schline Martin Buckley Arnold Jablon, Esquire Adel K. Sansur Thomas A. Church /Development Eng. Consultants, Inc. Christine and John Ramming Cynthia and Thomas Hutson **Edward Jones** Office of People's Counsel

William J. Wiseman III /Zoning Commissioner

Pat Keller, Planning Director

Timothy M. Kotroco, Director /PDM ......

9/03/08 – FAX from J. Carroll Holzer, Esquire – Comprehensive rezoning as voted on 8/26/08 and its effect on this property; namely, down-zoned to R.C. 6; requests that the petition be denied and that the matter is moot based upon Comprehensive Rezoning and further that 10/29/08 hearing be cancelled.

9/05/08 – Hard copy original letter as indicated above filed by Mr. Holzer this date via USPS. \_\_\_\_\_\_

9/08/08 - E-mail copy of letter from Mr. Jablon - opposing Mr. Holzer's position; will argue same at hearing. -- Hard copy of letter from Mr. Jablon hand-delivered in opposition.

10/29/08 - Board convened for hearing (Wescott, Murphy, Witt). Mr. Jablon appeared on behalf of Petitioner; Mr. Holzer on behalf of Appellants / Protestants; and Mr. Zimmerman, on behalf of Office of PC. On the record and prior to any testimony or evidence, Mr. Jablon requested that this matter be remanded to the DZC for consideration of the issues in light of the Council's adoption of the 2008 Comprehensive Zoning Maps. There being no objection from anyone, including People's Counsel or Counsel for Appellants, the Board will issue an order remanding this matter to the DZC for reasons as stated on the record as the result of the adoption of the 2008 Maps. (k)

### **BALTIMORE COUNTY, MARYLAND**

Board of Appeals of Baltimore County Interoffice Correspondence

Phone: 410-887-3180

Fax: 410-887-3182

To: William J. Wiseman, III, Zoning Commissioner

From: Sunny Cannington, Legal Secretary C RECEIVED

Date: March 3, 2009 MAR **0 3** 2009

Re: Remanded cases ZONING COMMISSIONER

08-140-SPH Adel and Arpi Sansur 08-217-SPHA Muhammad Sajid

Mr. Wiseman,

As per your conversation with Theresa today, attached are two cases, listed above, that were remanded to you for further proceedings. After you have issued the necessary Order or Opinion, please send a copy of this Order/Opinion to us for our records.

Please retain the file for the appeals period of 30 days. If the case is appealed again, the file would need to be returned to us. Should no appeal be taken within the appropriate time period, you may return the file to the Office of Zoning Review for closing and filing.

Thank you for all of your help and support in this matter. It is our hope, that with your help, we will be able to maintain the files in such a way that a backlog will not arise again.

Thank you again and, as always, should you have any questions or problems, please do not hesitate to contact us.



JAMES T. SMITH, JR. County Executive

March 16, 2009

THOMAS H. BOSTWICK Deputy Zoning Commissioner

ARNOLD JABLON, ESQUIRE VENABLE LLP 210 ALLEGHENY AVENUE TOWSON, MD 21204

J. CARROLL HOLZER, ESQUIRE HOLZER & LEE 508 FAIRMOUNT AVENUE TOWSON, MD 21286

PETER MAX ZIMMERMAN
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
105 WEST CHESAPEAKE AVENUE, SUITE 204
TOWSON MD 21208

Re: Case No. 2008-140-SPH

Dear Messrs. Jablon, Holzer and Zimmerman:

Please be advised that we are in receipt of the case file from the Board of Appeals of Baltimore County pertaining to the above-referenced matter. As you are aware, this matter was appealed to the Board of Appeals from an Order issued by the undersigned on April 8, 2008.

The matter came before the Board of Appeals on October 29, 2008. On that date, prior to holding a hearing on the merits of the appeal, the Board of Appeals issued an Order that the case be remanded to the Deputy Zoning Commissioner/Zoning Commissioner for further proceedings.

The purpose of this letter is to advise you that this Commission is in possession of the above-referenced case file and now seeks guidance from the parties as to what, if any, further proceedings are to be scheduled in this matter. Please contact the undersigned in writing within the next sixty (60) days and advise what issues remain outstanding as per the Board of Appeals' Order of Remand.

Thank you for your prompt attention to this matter.

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

## Patricia Zook - Re: Remanded cases from the Board of Appeals (status of cases before Zoning Commissioner)

From:

Patricia Zook

To: Date: Shelton, Theresa 5/19/2009 12:52 PM

Subject: Re: Remanded cases from the Board of Appeals (status of cases before Zoning Commissioner)

CC:

Bostwick, Thomas: Wiley, Debra: Wiseman, Bill

Good afternoon Theresa -

Below is an update and status for Tom's cases:

08-140-SPH - Adel & Arpi Sansur: Respone received from Petitioner's attorney. Petitioner to decide if he wants to proceed by doing a new plan based on the new zoning. We should receive a formal letter from the attorney asking us to return the file to the zoning office, but not dismiss yet.

08-217-SPHA - Muhammad Sajid: Response from Peoples Counsel received May 18, 2009 and we expect the Petitioner to withdraw the zoning petition.

07-470-SPH - Posey: A response from the parties is due June 3, 2009

08-110-SPH -- Michael Lang: Hearing held on Friday, May 15, 2009 and we anticipate issuing a decision within the next couple days.

I hope this information is helpful to you.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 105 West Chesapeake Avenue, Suite 103 Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

>>> Theresa Shelton 5/18/2009 11:32 AM >>> Gentlemen:

Good Morning. This email is to follow-up and obtain a status on cases that were remanded to you for further proceedings. These cases remain active on the Board's docket until such time as a disposition is reached by your office. The files are as follows:

Case # 08-140-SPH 08-217-SPHA 07-470-SPH

Case Name

Date Remand

Adel & Arpi Sansur Muhammad Sajid

11/17/2008 8/5/2008

Posev

4/2/2009

08-110-SPH

Michael Lang

4/28/2009

I await your response. If you need anything further, please do not hesitate to contact me.

Thank you for your time and support.

Theresa

Theresa R. Shelton, Administrator Board of Appeals for Baltimore County Suite 203, The Jefferson Building 105 W. Chesapeake Avenue Towson, MD 21204

410-887-3180 410-887-3182 (FAX) tshelton@baltimorecountymd.gov

Thomas Bostwick

To: Date: Jablon, Arnold E. 7/20/2009 3:12 PM

Subject:

Case No. 08-140-SPH - Sansur Property

#### Arnold.

You might remember this case -- the request to further subdivide the property at 2304 Tufton Ridge Road in the Worthington Valley area. Our last communication was an email from you dated March 31, 2009 in response to a letter from me dated March 16, 2009, wherein you indicated that you and your client were in the process of determining whether your client wished to pursue a potentially new site plan based on the change in zoning.

My main reason for getting back to you again is that we just received (a few days ago) an email from Sunny Cannington at the Board of Appeals requesting an update on the status of this case since it was remanded from the Board back to me some time ago.

Can you give me an update on this matter when you have a moment? Keep in mind I'm not in a hurry on this matter one way or the other. I just want to be able to get back to the Board. Thanks. Tom.

Thomas Bostwick

To:

Shelton, Theresa; Wiseman, Bill

CC:

Cannington, Krysundra 10/4/2010 9:59 AM

Date: Subject:

Re: Sansur / 08-140-SPH / Remanded 11/17/2008

Theresa,

I forgot to reach out to Arnold after your initial email, so I just forwarded the email string to him and have asked if he has any knowledge about what might be going on with Sansur so I can get back to you. Sorry.

Thanks for your patience. Tom.

>>> Theresa Shelton 10/4/2010 8:43 AM >>>

Tom:

This email is just a follow up on Sansur from 8/20. Any resolution on Sansur?

Thank you for your time.

Т

Semper Fi

>>> Thomas Bostwick 8/20/2010 11:23 AM >>>

Theresa,

Sorry for not getting right back to you. I think Arnold Jablon represented the Sansur's so let me get in touch with him and find out what the deal is with this case. I'll let you know soon.

Thanks. Tom.

>>> Theresa Shelton 8/9/2010 11:20 AM >>> Good Morning Gentlemen:

According to my notes, your office was waiting on the outcome of the Hutson matter before proceeding with the above referenced case. The Hutson decision was issued on June 23, 2010 and a copy was provided to your office. As of this date, and after checking with the Circuit Court, there has been no filing of a Petition for Judicial Review.

Please advise as to the status of Sansur in light of the Hutson Opinion.

As always, I thank you for your assistance and support.

Theresa Semper Fi

Theresa R. Shelton, Administrator Board of Appeals for Baltimore County Suite 203, The Jefferson Building 105 W. Chesapeake Avenue Towson, MD 21204

Theresa Shelton

To:

Bostwick, Thomas; Wiseman, Bill

CC:

Cannington, Krysundra 10/4/2010 8:43 AM

Date: Subject:

Re: Sansur / 08-140-SPH / Remanded 11/17/2008

Tom:

Good Morning. How about those RAVENS!!!!!!!!!!!!!!

This email is just a follow up on Sansur from 8/20. Any resolution on Sansur?

Thank you for your time.

Т

Semper Fi

>>> Thomas Bostwick 8/20/2010 11:23 AM >>> Theresa,

Sorry for not getting right back to you. I think Arnold Jablon represented the Sansur's so let me get in touch with him and find out what the deal is with this case. I'll let you know soon.

Thanks, Tom.

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Theresa R. Shelton, Administrator Board of Appeals for Baltimore County Suite 203, The Jefferson Building 105 W. Chesapeake Avenue Towson, MD 21204

410-887-3180 410-887-3182 (FAX) tshelton@baltimorecountymd.gov

"I took the Green @ Work Energy Challenge Pledge."

Confidentiality Statement

This electronic mail transmission contains confidential information belonging to the sender which is legally

Thomas Bostwick

To:

Shelton, Theresa; Wiseman, Bill

CC:

Cannington, Krysundra 8/20/2010 11:23 AM

Date: Subject:

Re: Sansur / 08-140-SPH / Remanded 11/17/2008

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Sorry for not getting right back to you. I think Arnold Jablon represented the Sansur's so let me get in touch with him and find out what the deal is with this case. I'll let you know soon.

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in error, please immediately notify the sender.

Theresa Shelton

To:

Bostwick, Thomas; Wiseman, Bill

CC: Date: Cannington, Krysundra 8/9/2010 11:20 AM

Subject:

Sansur / 08-140-SPH / Remanded 11/17/2008

#### Good Morning Gentlemen:

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410-887-3180 410-887-3182 (FAX) tshelton@baltimorecountymd.gov

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Case #	Case Name	Remand to:	<b>Date Remand</b>	<u>Notes</u>
08-140-SPH	Adel & Arp(Sansur	Zoning	11/17/2008	(Waiting on Hutson de
08-217-SPHA	Muhammad Sajid	Zoning	8/5/2008	CLOSED 6/2009
07-470-SPH	Posey	Zoning	4/2/2009	Order issued on 2/25/1
08-110-SPH	Michael Lang	Zoning	4/28/2009	FILE RETURNED W/C
			,	1
ODA 00 447		Code Forf	9/4.0/0000	Ed Creed signed out file 9/18/08; no indication as to when it was brought back/hearing/opinion, etc. CLOSED 6/2009
CBA-08-117 -	George Dooley	Code Enf	6/12/2008	Etc. CLO3ED 0/2009
	e didition les			
CBA-08-115	Heller Property	DRC		CLOSED 6/2009
CBA-08-137	Jacksonville Park	DRC	3/19/2009	
CBA-08-133	2801 Bay Drive	PUD	7/17/2009	Remanded on Mot. For
CBA-04-103	Joseph Ackerman, Jr.	AHB	7/29/2004	This file was sent to AHB on 8/20/04; No further information on file. File closed 3/2009

s Held May-

desim

6/23/10

Thomas Bostwick

To:

Shelton, Theresa Cannington, Krysundra

CC: Date:

8/20/2009 10:50 AM

Subject:

Re: Remanded Cases - Inactivity

Theresa,

This is what I received back from them:

Arnold Jablon indicated that his client, Dr. Sansur, is awaiting the results of another appeal to the Board involving Tufton Ridge. The case name is Hutson, a case in which Bill Wiseman denied an amendment of the FDP, and from which Arnold appealed. The hearing in that case was scheduled for July 29th, and Dr. Sansur will decide after the Board rules whether to proceed or dismiss.

Larry Schmidt indicated that he will likely have something filed with me (either a Motion to Dismiss, or, if his client decides to move forward; an amended plan) by the end of the month and asked if we could give them until then, and to advise you and Sunny that they are close to making a decision on this.

I hope this information is helpful. Thanks. Tom.

>>> Theresa Shelton 8/19/2009 5:15 PM >>> Tom:

Good Evening.

Any word from your email of 7/20/09 to Mr. Schmidt and Mr. Jablon on the cases that were remanded (Sansur in 11/08 and Posey in 4/09)? Please let us know if you will be closing the files for lack of prosecution (it has been well over 30 days with no action and/or response from Counsel). Upon notification from your office, the Board will remove these cases from the open docket.

Please advise at your earliest convenience. Thank you for your time and support.

Theresa

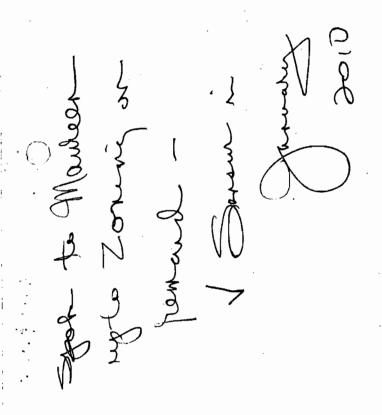
Theresa R. Shelton, Administrator Board of Appeals for Baltimore County Suite 203, The Jefferson Building 105 W. Chesapeake Avenue Towson, MD 21204

410-887-3180 410-887-3182 (FAX) tshelton@baltimorecountymd.gov 1 on this

Marken -

July 205

	'			*			
	Set for hearing on 7/29/09 @						
	<ol><li>Notices sent. Completed.</li></ol>						
	Deliberation scheduled for					SPH to allow amendment to FDP to	
utson	3/2/10	2205 Tufton Ridge Road	Zon	3/18/2009	4/17/2009	allow re-subdivision of property	7-3-5



	For T
	From Tom Bootwick
	Time 11:45 Date 10/4
	Phone
	DURGENT! Re: Sansur
	Lablon not to pursue.
	Jablon to file
	notice w/o of
lacksquare	Petition, Will
	forward to us when complete
. —	
Post-it	
Brand	<b>/</b>
Super Sticky	

Requested: June 25, 2008

## **APPEAL SIGN POSTING REQUEST**

CASE NO.: 08-140-SPH

2304 Tufton Ridge Road

8th ELECTION DISTRICT

APPEALED: 5/5/2008

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

## \*\*\*COMPLETE AND RETURN BELOW INFORMATION\*\*\*\*

# **CERTIFICATE OF POSTING**

TO: Baltimore County Board of Appeals The Jefferson Building, Suite 203 102 W. Chesapeake Avenue Towson, MD 21204

Attention:

Kathleen Bianco

Administrator

CASE NO.: 08-140-SPH

LEGAL OWNER: ADEL & ARPI SANSUR

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:





ARNOLD JABLON (410) 494-6298

aejablon@venable.com

8 September 2008

BALTIMORE COUNTY BOARD OF APPEALS

Ms. Kathleen Bianco, Administrator Board of Appeals Jefferson Bldg 105 West Chesapeake Ave 2<sup>nd</sup> Floor, Suite 203 Towson, Maryland 21204

Re: Case No. 08-140 SPH

In Re: Sansur D/O/H: 10/29/08

Dear Ms. Bianco:

I am in receipt of a copy of Mr. Holzer's letter, dated 2 September 2008, to you in which he requests cancellation of the above captioned hearing date.

Please be advised that I oppose his request. While the subject property was indeed downzoned, my client and I have every reason to believe that the current zoning (RC 5) will remain applicable. We will be prepared to so argue.

Thank you.

Sincerely,

Arnold Jablon

c: J. Carroll Holzer

"Jablon, Arnold E." <AEJablon@Venable.com>

"Kathleen Bianco" <kbianco@baltimorecountymd.gov> To:

9/8/2008 12:03 PM Date:

From:

**Subject:** 08-0140 SPH Sansur property

CC: <icholzer@cavtel.net>

8 September 2008

Ms. Kathleen Bianco, Administrator Board of Appeals Jefferson Bldg 105 West Chesapeake Ave 2<sup>nd</sup> Floor, Suite 203 Towson, Maryland 21204

> Re: Case No. 08-140 SPH

> > In Re: Sansur D/O/H: 10/29/08

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Thank you.

Sincerely,

Arnold Jablon

J. Carroll Holzer

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used,

and cannot be used, for the put se of (a) avoiding penalties to may be imposed under the Inte Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

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LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE OF COUNSEL THE 508 BUILDING

508 Fairmount Ave. Towson, MD 21286 (410) 825-6961 . Fax: (410) 825-4923

kwww.kww.kww.kww. jcholzer@cavtel.net

September 2, 2008 #7702

Ms. Kathleen Bianco, Administrator Baltimore County Board of Appeals Jefferson Building 105 West Chesapeake Avenue Second Floor, Suite 203 Towson, Maryland 21204

RE: Case No.:

08-140-SPH

In the Matter of: Sansur Property

Scheduled for Wednesday, October 29, 2008, at 10:00 a.m.

Dear Ms. Bianco:

Please be advised that the property involving the above-captioned is scheduled for Wednesday, August 26, 2008, at 10:00 a.m. and has been down zoned by the Baltimore County to R.C. 6 as per the attached documentation. The subject property may not be subdivided in the fashion being proposed by the Petition for Special Hearing and as a result, the Special Hearing Decision of the Zoning Commissioner must be reversed and determined to be moot as a result of the Comprehensive Rezoning.

I would further request that the hearing date of Wednesday, October 29, 2008, be cancelled.

Very truly yours,

Carroll Holzer

JCH:mlg

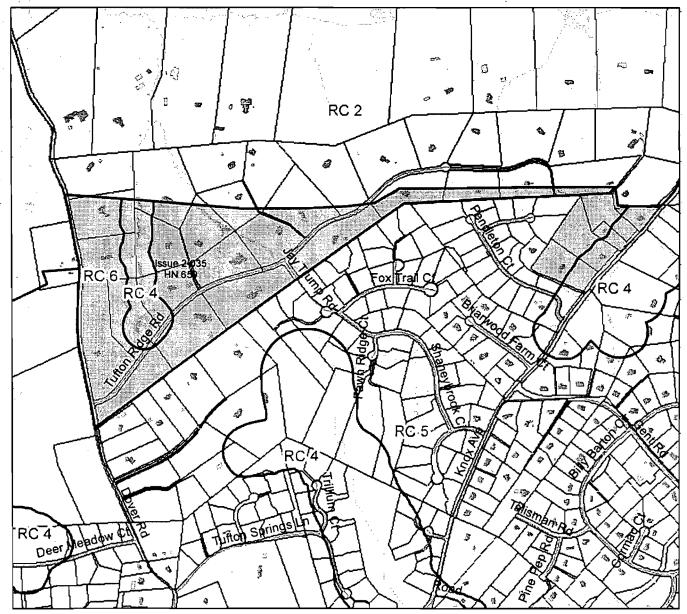
cc:

Arnold Jablon, Esquire Ms. Teresa Moore Mr. Larry Bortner People's Counsel for Baltimore County

RECEIVED)

BALTIMORE COUNTY BOARD OF APPEALS

# CZMP 2008 - Issue Map Holding Number: 659/Issue Number: 2-035

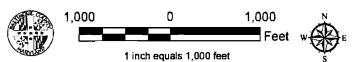


Iteration: COUNTY COUNCIL/1

ADC Reference Grid: 17F4

Zone	<u>Distric</u> t	Acreage
RC 2		0.1
RC 4		21.3
RC 5		11.0
RC 6		97.8

Total Acreage: 130.2



Publication Date: August 18, 2008
Publication Agency: Office of Planning
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



LAW OFFICES

J. Carroll Holzer, pa

J. HOWARD HOLZER

THOMAS J. LEE OF COUNSEL

THE 508 BUILDING

508 Fairmount Ave. Towson, MD 21286 (410) 825-6961

FAX: (410) 825-4923

jcholzer@cavtel.net

March 24, 2009 #7702

**RECEIVED** 

MAR 26 2009

**ZONING COMMISSIONER** 

Thomas Bostwick, Esquire
Deputy Zoning Commissioner
for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204-4606

RE:

Case No.:

2008-140-SPH

Dear Mr. Bostwick:

In response to your letter of March 16, 2009, this matter involved a request by Mr. Jablon's client that occurred prior to the Comprehensive Rezoning for 2008. By the time the matter came before the Board of Appeals on October 29, 2008, and was remanded back to you, the Comprehensive Rezoning process changed the underlying zone. At this point, the future of this case relies upon what Mr. Jablon proposes to do in this matter. Therefore, I would respectfully request that I be kept up-to-date with his determination as to whether to attempt to continue on in this matter.

Very truly yours,

J. Carroll Holzer

JCH:mlg

cc:

Peter Max Zimmerman, Esquire

Arnold Jablon, Esquire Teresa Moore, VPC

### Thomas Bostwick - 08-140sph

From: "Jablon, Arnold E." <AEJablon@Venable.com>

To: "Thomas Bostwick" <tbostwick@baltimorecountymd.gov>

**Date:** 03/31/09 4:08 PM

Subject: 08-140sph

Tom, in response to your letter of March 16th, yes, this matter was remanded at my request, due to the change in zoning. My client has to decide whether he wants to proceed by doing a new plan, based on the new zoning. At this time, he is still considering whether to expend any more money. I will forward a more formal letter to you, in which I will ask simply to return the file to the zoning office but not to dismiss as of yet. Thanks.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed un Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide th disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirement form and substance.

\*\*\*\*\*

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CASE NAME\_ CASE NUMBER 08- 140-5PK DATE\_ 2-20-08

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
A Jublon	210 Allegheny Ave	Tosuson md. 21204	
T.A. Church	Cele 03 York Rel	Buto Md 212/2	
			<u></u>
Adel Jansuz	2304 Tellon way rd	Keister four M.D 21176	
Christin Kannen	2219 Tuffer Retze Fol	Renters bow MD 21136	
SOHNS FAMMING		KEISTERSTOWN MD211	
THOMASH HUSO.		FIZISTENESTOWN, NO 211	36
CYNTHIA HUTSON	2205 TUE TON THEORE	PEGTARSTOWN, MD211	<b>3</b> C
Order Charles		7	
Elizabeth Tres	23/2 tu/fm Ridge Rd	Renterstown Md 21236	ي
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<u> </u>			

CASE NAME CASE NUMBER <u>08-190 - SIH</u> DATE J-Jo-08

# PROTESTANTS CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
J. Carroll Hoher	508 Fairment Ave	Towson Md 21281	
Mike OMALLEY	2322 TUPTON RISGF	Clyndon MD. 21071	
JOHN SOPHOCCES	2226 TUPTON PIDGE	, u _u	· •
TERESAMOORE	VPC POBOX 5402	Towson 21285	MODREVAX Co concent.
DON SCHINE	2303 Tuffon 181 dg 2 16	21136	•
RICHARD YEAREL	2314 TUETON RIOGE RO	GUTHORIMO 21071	yeard Douthlink not
Stephen ScHLOSS	2311 Tufton Rioge Rd	REISTERSTOWN ME 21/36	years Quarthlink not Steve PalmeTMANAgenert. Com
<i>'</i>		. ,	
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<u></u>	. ,		
-		·	•
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ADEL K. AND ARPI L. SANSUR 2304 TUFTON RIDGE ROAD / REISTERSTOWN MD 21136 ARNOLD JABLON, ESQUIRE VENABLE LLP 
210 ALLEGHENY AVENUE TOWSON, MD 21204

THOMAS A. CHURCH, P.E.
DEVELOPMENT ENGINEERING
CONSULTANTS, INC.
6603 YORK ROAD
BALTIMORE, MD 21212

J. CARROLL HOLZER, ESQUIRE HOLZER & LEE 508 FAIRMOUNT AVENUE TOWSON, MD 21286

CHRISTINE AND JOHN RAMMING 2219 TUFTON RIDGE ROAD REISTERSTOWN MD 21136 CYNTHIA AND THOMAS HUTSON 2205 TUFTON RIDGE ROAD REISTERSTOWN MD 21136 JOHN SOPHOCLES 2226 TUFTON RIDGE ROAD REISTERSTOWN MD 21136

EDWARD JONES 2312 TUFTON RIDGE ROAD REISTERSTOWN MD 21136

MIKE O'MALLEY 2322 TUFTON RIDGE ROAD REISTERSTOWN MD 21136 STEPHEN SCHLOSS 2311 TUFTON RIDGE ROAD REISTERSTOWN MD 21136

DON SCHLINE 2303 TUFTON RIDGE ROAD REISTERSTOWN MD 21136 RICHARD YEAZEL 2314 TUFTON RIDGE ROAD REISTERSTOWN MD 21136 TERESA MOORE
VALLEYS PLANNING COUNCIL
PO BOX 5402
TOWSON MD 21285

10/29/2008 @ 10 a.m.

EXHIBITS

2 or 2

Index of Dianisso (20080140) 28-140-SPH 

# Exhibit Sheet

# Petitioner/Developer

# Protestant

No. 1	Chul Assame	letter From VPC
No. 20	Site Dan (1A will be idoal its plan)	lette from Bortue
No. 3	Landreage Plan	
No. 4	FOFlow	
No. 5	Miner Tob Plan 07-03 M	·
No. 6	1976 Zoing Map.	
No. 7	2004 Long Map	
No. 8	Serie Photo	
No. 9 AtB	Elevation Photos/ Amberry	
No. 10 A-E	Photos of exesting home	
No. 11 A-H	Photos of homes surounding subject property	
No. 12 A-H	Plats for Tufto Nily Generally induly Tection 2, Post)	

Petitioner's Exhibits (court)

News from Lloyd to The Cherry - 11/78/07 Letter in Support 11-29-07

## DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

#### THOMAS A. CHURCH, P.E.

**EDUCATION** 

Bachelor of Science, Civil Engineering – 1960

University of Maryland

REGISTRATION

Professional Engineer #6479 – Maryland

PROFESSIONAL AFFILIATIONS

Life Member – American Society of Civil Engineers

Past Memberships:

Consulting Engineers Council

National Society of Professional Engineers Maryland Society of Professional Engineers

**Engineering Society of Baltimore** 

**EXPERIENCE** 

President and Chief Executive Officer of Development Engineering Consultants, Inc., a Site Engineering and Surveying firm established by Mr. Church in 1985. In this capacity Mr. Church has been responsible for many private sector projects in Maryland. These projects include residential, commercial and industrial site development and all related field services. Mr. Church has also represented many clients as a technical and expert witness. He has presented his services before numerous hearings and is considered a Baltimore County zoning and development expert.

Prior to forming DEC, Inc., Mr. Church was Senior Vice President of Kidde Consultants, Inc. where he was employed for over 12 years, supervising projects in Maryland, Virginia, Pennsylvania and Delaware. Mr. Church was in responsible charge of all private sector developments and special projects that had inter-departmental disciplines under a matrix management system.

From 1956 to 1971, Mr. Church was employed as a Design Engineer with J. E. Greiner Company, a well-known public sector design firm specializing in major bridges, tunnels, airports and the toll facilities between Maryland and Chicago, Illinois. Interstate roadway systems in Maryland, Pennsylvania, West Virginia, Ohio, Indiana and Illinois were designed and the construction supervised by the Greiner design teams, of which Mr. Church was ultimately one of the Project Managers.

PET EXHIBIT 2

















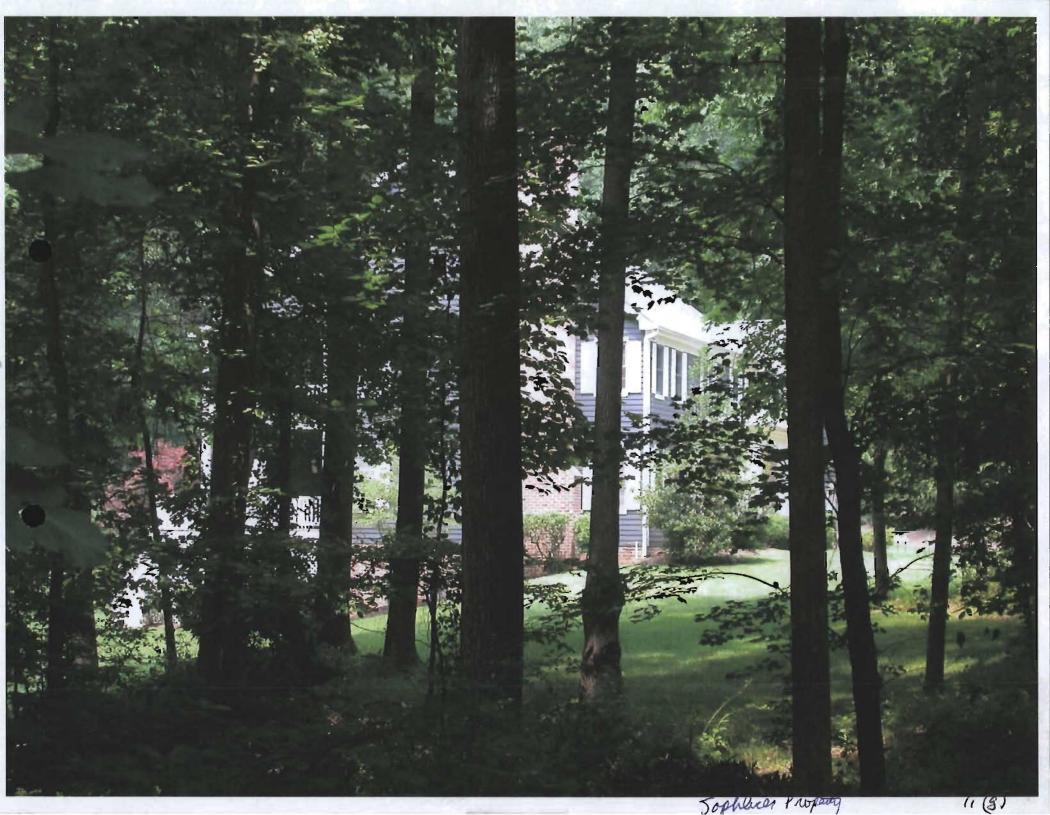














### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Joe Chmura

DATE: November 28, 2007

Department of Permits and Development Management

FROM:

Lloyd T. Moxley

Development Review Section, Office of Planning

PROJECT NAME:

Sansur Property - 3rd REVIEW COMMENTS (amended)

PROJECT NO.:

07033 M

The Office of Planning has reviewed the above referenced project and offers the following comments:

#### RC 5 FINDING:

Upon review of the provided grading plan, map, architectural elevations, photographic and written materials the Office of Planning makes the following finding:

The proposed residential development meets the intent of the performance standards found in Section 1A04.4 of the Baltimore County Zoning Regulations. Any substantial changes to the site or proposed structure will require further review and approval by the Office of Planning prior to the issuance of a building permit.

#### **DESIGN REVIEW COMMENTS:**

1. The Office of Planning withholds approval of the above referenced development plan until such time as the Zoning Commissioner issues a Final Decision and Order relative to any petition requesting an amendment to the Final Development Plan for Tufton Farms. If approved, the developer understands that they proceed at their own risk.

Lloyd T. Moxley, Planner

Development Review

Lynn Lanham, Chief

Development Review

LTM:kma

Thomas H. Hutson 2205 Tufton Ridge Road Reisterstown, MD 21136 410-785-1117 Fax: 443-2670186

cindyhutson@comcast.net

November 29, 2007

Mr. Thomas Bostwick Baltimore County Zoning Commissioner's Office County Courts Building 401 Bosley Road, Suite 405 Towson, MD 21204

Re: Case No. 8-140-SPH Tufton Ridge Road, Reisterstown, MD

Dear Mr. Bostwick,

We do not oppose the Sansor Property sub-division. We have high-density development bordering our property.

I believe that this sub-division will be an asset to our community.

Lots 22 and 23 on Knox Road have been subdivided. Lot 12 has been subdivided to 12A and 12B.

Sincerely,

Thomas H. Hutson

Cyrthia J. Hutson

Cynthia G. Hutson

PETITIONER'S

EXHIBIT NO.

14

•	Lanoit 5	nico:
	Petitioner/Developer	Protestant
No. 1	Church Desume	Cetter From VPC
No. 20	Site Dar (1A will be ideal site plan)	lette from Bortuer
No. 3	Landsrige Plan	
No. 4	FORlow	
No. 5	Miner Tob Plan 07-03 M	
No. 6	1976 Zoing Map	
No. 7	200 A loving Hap	
No. 8	Seriel Photo	·i
No. 9 A+B	Elevation Photos/ Jandering	
No. 10	Photos of existing home	
No. 11 A-H	Photo of homes seconding subject property	
No. 12 A-H	Plats for Tufton Puly Generally induly Texter 2, Parts	

Exhibit Sheet

### The Valleys Planning Council, Inc.

12-3-07 9 AM

207 Courtland Avenue, Towson, Maryland 21204

Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402

Phone: 410-337-6877, Fav. 410-296-5409

Phone: 410-337-6877, Fax: 410-296-5409

November 27, 2007

William J. Wiseman, III Zoning Commissioner 401 Bosley Avenue Towson MD 21204

RE: Case #8-140-SPH

Dear Commissioner Wiseman:

The VPC opposes the request to re-subdivide the Sansur property, or any other property within the Tufton Farms subdivision and does not support amendments to the Final Subdivision Plan that would allow subdivision of existing lots. Many residents of the Tufton Farms subdivision have expressed their feelings that any such subdivision would violate the intent of the original subdivision plan which was based on a large, wooded lot design. The VPC shares this concern and also has concerns about environmental impacts.

I cannot attend the December 3 hearing, but the VPC will be represented by attorney Carroll Holzer. We urge you to deny the request to re-subdivide the Sansur property.

Sincerely,

Teresa Moore

**Executive Director** 

JERESa-MOORE

PROTESTANT'S

EXHIBIT NO.

February 7, 2008

DECEIVED A feb 1 1 2008 D by:\_\_\_\_\_

Mr. & Mrs. Larry L. Bortner 2308 Tufton Ridge Road Reisterstown, MD 21136

Mr. William Wiseman Zoning Commissioner 401 Bosley Avenue, Suite 405 Towson, MD 21204

RE: Sansur Property, Case No. 08-140-SPH

Dear Mr. Wiseman,

We own property adjacent to the Sansur property and unfortunately will be out of town when the zoning hearing is scheduled for the Sansur property.

After looking for a house or property in Baltimore County for approximately two years, we purchased our home at 2308 Tufton Ridge Road, approximately 10 years ago. We did not purchase at that location because of the house, and have spent considerable time and money renovating the house. We purchased the property because of the large and wooded lots in the Tufton Farm subdivision.

We believe our subdivision is unique and everyone who visits our home for the first time comments on the lovely setting and privacy provided by the large and wooded lots.

We believe that if property owners in the Tufton Ridge subdivision are permitted to subdivide their lots, the uniqueness of our subdivision will be lost. With smaller lots, more houses, and fewer trees, Tufton Farms would look like many other subdivisions and because other subdivisions have newer homes, the appeal and resale value of homes in Tufton Farms would be reduced. Therefore, we urge you not to approve the subdivision of lots whose owners would benefit financially at the expense of owners who cannot or choose not to subdivide their lots.

Sincerely,

Janice P. & Larry L. Bortner

PROTESTANT'S

EXHIBIT NO.



# Petition for Special Hearing

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

for the property located at 2304 Tufton Ridge Road

which is presently zoned RC 5

to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which and made a part hereof, hereby petition for a Special Hearing County, to determine whether or not the Zoning Commissioner (This box to be completed by planner)	th is described in the description and plat attached heretounder Section 500.7 of the Zoning Regulations of Baltimore
an amendment to the Final Development Plan entitle resubdivision of Lot 10, Plat 2, Section 2, into two (2) 1B01.3A.7. of the BCZR	
penaltie	divertising, posting, etc. and further agree to and are to be e County adopted pursuant to the zoning law for Baltimore to solemnly declare and affirm, under the es of perjury, that I/we are the legal of the property which is the subject of
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u> Adel K. Sansur
Name - Type or Print Signature	Name - Type or Print Signature
Address Telephone No.	Arpi L. Sansur  Name - Type or Print
City State Zip Code  Attorney For Petitioner:	Signature 2304 Tufton Ridge Road Address Telephone No.
Arnold Jablon  Name - Type or Print  Signature  Venable, LLP	Reisterstown, Maryland 21136  City State Zip Code  Representative to be Contacted:  Arnold Jablon
Company 210 Allegheny Ave 410 494-6298  Address Telephone No.  Towson, Maryland 21204  City State Zip Code	Name 210 Allegheny Ave 410 494-6298  Address Telephone No.  Towson, Maryland 21204  City State Zip Code
TOWN OF THE PARTY	OFFICE USE ONLY
Case No. 08-140-SPH UNA	MATED LENGTH OF HEARING

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IRYLAND FINANCE		Sub Rev Sub Orgn Source Rev	6150		-	- T		^	NR-140-5PH	DOE RD		- AGENCY	
BALTIMORE COUNTY, MA OFFICE OF BUDGET AND MISCELLANEOUS RECEIP		nd 'Agcy Orgn	900 100					From: VENDOLE	Or. # CENT # 140	JOH THETON RU	. 0	WHITE - CASHIER PINK	
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TO: PATUXENT PUBLISHING COMPANY

Thursday, November 15, 2007 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, MD 21204 410-494-6298

### CORRECTED 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: 08-140-SPH

2304 Tufton Ridge Road

N/west side of Tufton Ridge Road, 1800 feet east of centerline of Dover Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Adel K. & Arpi L. Sansur

<u>Special Hearing</u> to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Section 1A00.4 and 1B01.3A.7 of the BCZR.

Hearing: Monday, December 3, 2007 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.



JAMES T. SMITH, JR. County Executive

January 7, 2008
TIMOTHY M. KOTROCO, Director

### **NEW NOTICE OF ZONING HEARING**

Department of Permits and Development Management

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: 08-140-SPH

2304 Tufton Ridge Road

N/west side of Tufton Ridge Road, 1800 feet east of centerline of Dover Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Adel K. & Arpi L. Sansur

<u>Special Hearing</u> to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Section 1A00.4 and 1B01.3A.7 of the BCZR.

Hearing: Wednesday, February 20, 2008 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Arnold Jablon, Venable, 210 Allegheny Avenue, Towson 21204 J. Carroll Holzer, 305 W. Chesapeake Avenue, Ste. 105, Towson 21204 Mr. & Mrs. Sansur, 2304 Tufton Ridge Road, Reisterstown 21136 Teresa Moore, P.O. Box 5402, Towson 21285

THE PROPERTY DOES NOT NEED TO BE REPOSTED OR READVERTISED PER THE DECISION OF THE ZONING COMMISSIONERS OFFICE.



JAMES T. SMITH, JR. County Executive

TI Octoben 4, 2000CO, 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: 08-140-SPH

2304 Tufton Ridge Road

N/west side of Tufton Ridge Road, 1800 feet east of centerline of Dover Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Adel K. & Arpi L. Sansur

<u>Special Hearing</u> to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Section 1A00.4 and 1B01.3A.7 of the BCZR.

Hearing: Tuesday, November 20, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Arnold Jablon, Venable, 210 Allegheny Avenue, Towson 21204 Mr. & Mrs. Sansur, 2304 Tufton Ridge Road, Reisterstown 21136

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 5, 2007.

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 6, 2007 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, MD 21204 410-494-6298

### **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: 08-140-SPH

2304 Tufton Ridge Road

N/west side of Tufton Ridge Road, 1800 feet east of centerline of Dover Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Adel K. & Arpi L. Sansur

Special Hearing to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 10, Plat 2, Section 2, into two (2) lots, pursuant to Section 1A00.4 and 1B01.3A.7 of the BCZR.

Hearing: Tuesday, November 20, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401, Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <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:08-140-SPH				
Petitioner:	Adel K. Sansur and Arpi L. Sansur				
•	2304 Tufton Ridge Road, Reisterstown, MD 21136				
, (dd: 400 or 40040am.					
PLE1,GE FORVÄRD	ADVERTISING BILL TO:				
Name:	ARNOLD JABLON, VENABLE, LLP.				
Address:	210 ALLEGHENY AUE				
	FOWSON, AND 21204				
Telephone Number:	410 494 6298				



JAMES T. SMITH, JR. County Executive

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

November 28, 2007

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, Maryland

Dear Mr. Jablon:

RE: Case Number: 08-140-SPH, 2304 Tufton Ridge 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 17, 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.

U. Callallall.

Supervisor, Zoning Review

WCR:amf Enclosures

People's Counsel C:

Adel K. Sansur Arpi L. Sansur 2304 Tufton Ridge Road Reisterstown 21136

For Church 410-377-2600 Wen appealed

> daes support



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

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

Maryland Department of Transportation

Date: SEFT. 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. 8-140-5PH

2304 THETON ROAD SANSUR 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. 8-140-50 He

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

Engineering Access Permit

Division

SDF/MB

# BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

DATE: October 2, 2007

TO:

Timothy M. Kotroco, Director

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,

139,440,)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

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** September 26, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

2304 Tufton Ridge Road

**INFORMATION:** 

Item Number:

8-140

Petitioner:

Adel & Arpi Sansur

Zoning:

RC 5

Requested Action:

Special Hearing

The petitioner requests a special hearing to amend the final development plan of Tufton Farms Plat 2 Section 2 to allow the resubdivision of Lot 10 into two lots. The applicant is also processing a minor subdivision known as the Sansur Property. A covenant restricting future subdivision of the existing lots within Tufton Farms expired July 1, 2007.

In accordance with Section 1A04.4 (Performance standards) of the BCZR, The Office of Planning reviewed a grading plan, map, architectural elevation drawings, photographs and a narrative. On August 29, 2007 a finding of compliance with the RC 5 was issued as part of the minor subdivision review. (See Sansur Property 3<sup>rd</sup> review comments.)

### **SUMMARY OF RECOMMENDATIONS:**

If the Zoning Commissioner grants the requested special hearing it must be subject to all plans and drawings being in compliance with the RC5 performance standards and receive a finding, to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

- 4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Reviewed by

**Division Chief:** AFK/LL: CM

### MEMORANDUM

DATE:

December 3, 2007

TO:

To The File

FROM:

Thomas H. Bostwick

Deputy Zoning Commissioner

for Baltimore County

SUBJECT:

Case No. 08-140-SPH - Postponement of Hearing from Monday,

December 3, 2007 at 9:00 AM

The above-referenced case was scheduled for a hearing on December 3, 2007 at 9:00 AM. Petitioner was represented by Arnold Jablon. Sterling Lease of Carroll Holzer's office appeared on behalf of an number of Protestants and interested citizens and the Valleys Planning Council, and requested a postponement. The postponement was necessary because Mr. Holzer was in the hospital with a kidney stone.

Mr. Jablon did not oppose the postponement request. He had received a voice mail from Mr. Lease the day before (on Sunday) at his home informing him of Mr. Holzer's status and was able to call off his witness and clients from appearing. None of Mr. Holzer's clients appeared as well.

I granted the postponement request and directed that this matter be rescheduled. It does not need to be re-posted or re-published. Because I ruled only on the postponement request and there was no testimony taken or evidence admitted, this matter can be reset in front of either Bill Wiseman or myself in the future. I also asked Mr. Jablon and Mr. Lease to consider how long they believe this matter may take to hear in re-scheduling it.

c: Kristen Matthews, Permits & Development Management

ARNOLD JABLON (410) 494-6298

aejablon@venable.com

11 October 2007

Timothy Kotroco, Director Department of Permits and Development Management 111 West Chesapeake Ave Towson, Maryland 21204

Re:

Case No. 08-140SPH

Hearing Date: 11/20/07

Dear Mr. Kotroco:

I have a previously scheduled hearing before the County Board of Appeals, In Re: Hammerman, on November 20<sup>th</sup>, 2007.

Therefore, please postpone this matter. It is my understanding that the new hearing date will be December 3<sup>rd</sup>, at 9:00 a.m. Thank you for your consideration

Sincerely,

Arnold Jablon

AEJ/aj

c: Kristin Matthews

Zoning Office Department of Permits and Development Management 111 West Chesapeake Ave Towson, Maryland 21204

### Zoning Office:

Please be advised that we, the undersigned, have authorized Arnold Jablon, Esq., Venable, LLP, 210 Allegheny Ave., Towson, Maryland 21204, to be our attorney-in-fact and attorney-at-law and on our behalf file the attached petitions for zoning relief. We hereby understand that the relief requested is for property we own and we hereby and herewith acknowledge our express permission for said petitions to be filed on our behalf. The petition(s) filed are for property located at 2304 Tufton Ridge Road, Reisterstown, Maryland 21136, property we own.

Adel K. Sansur

2304 Fufton Ridge Road, Reisterstown, Maryland 21136

address

Arpi L. Sansur

2304 Tufton Ridge Road, Reisterstown, Maryland 21136 address

08-140-SPH

(Date)

9-12-0 (Date)



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 Telephone 410-494-6200 Facsimile 410-821-0147 www.venable.com

(410) 494-6244

aldontell@venable.com

September 18, 2007

### HAND DELIVERED

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

Re: <u>Petition for Special Hearing</u> Petitioner: Adel K. Sansur

Location: 2304 Tufton Ridge Road

Dear Mr. Richards:

I am drop filing the enclosed Petition for Special Hearing for the above-referenced property. This property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

- 1. Petition for Special Hearing (3)
- 2. Zoning Descriptions (3)
- 3. Site Plans (12)
- 4. 2004 200' Scale Zoning Map
- 5. Newspaper advertising form (1)
- 6. Check in the amount of \$325.00

If you have any questions or concerns regarding this filing, please give me a call.

08-140-SPH

Very truly yours,

Amy W. Dontell

Paralegal

ALD

**Enclosures** 

cc: Arnold Jablon, Esquire

TO1DOCS1/#249438v1

RE: PETITION FOR SPECIAL HEARING

2304 Tufton Ridge Road; NW/S Tufton Ridge

Road, 1800' E of c/line Dover Road

8<sup>th</sup> Election & 2<sup>nd</sup> Councilmanic Districts

Legal Owner(s): Adel K & Arpi Sansur Petitioner(s) BEFORE THE

**ZONING COMMISSIONER** 

FOR

BALTIMORE COUNTY

\* 08-140-SPH

\* \* \* \* \* \* \* \* \* \*

\*

### ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all 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 2<sup>nd</sup> day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

CC: 02 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per ........

### DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

### THOMAS A. CHURCH, P.E.

**EDUCATION** 

Bachelor of Science, Civil Engineering – 1960

University of Maryland

REGISTRATION

Professional Engineer #6479 – Maryland

PROFESSIONAL AFFILIATIONS

Life Member - American Society of Civil Engineers

Past Memberships:

Consulting Engineers Council

National Society of Professional Engineers
Maryland Society of Professional Engineers

**Engineering Society of Baltimore** 

**EXPERIENCE** 

President and Chief Executive Officer of Development Engineering Consultants, Inc., a Site Engineering and Surveying firm established by Mr. Church in 1985. In this capacity Mr. Church has been responsible for many private sector projects in Maryland. These projects include residential, commercial and industrial site development and all related field services. Mr. Church has also represented many clients as a technical and expert witness. He has presented his services before numerous hearings and is considered a Baltimore County zoning and development expert.

Prior to forming DEC, Inc., Mr. Church was Senior Vice President of Kidde Consultants, Inc. where he was employed for over 12 years, supervising projects in Maryland, Virginia, Pennsylvania and Delaware. Mr. Church was in responsible charge of all private sector developments and special projects that had inter-departmental disciplines under a matrix management system.

From 1956 to 1971, Mr. Church was employed as a Design Engineer with J. E. Greiner Company, a well-known public sector design firm specializing in major bridges, tunnels, airports and the toll facilities between Maryland and Chicago, Illinois. Interstate roadway systems in Maryland, Pennsylvania, West Virginia, Ohio, Indiana and Illinois were designed and the construction supervised by the Greiner design teams, of which Mr. Church was ultimately one of the Project Managers.

P St EXHIBIT J

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ADDRESS: 2304 TUI	STOWN, MD, 21	,	8	
PHC: IE NUMBER: 410-7				
PROPERTY INFORMATION:				
TAX ACCOUNT NUMBER: I		-		
DEED REFERENCE: 13 PLAT REFERENCE: 4	333/442 1/91 (SECTION	2 F.A	2, "TU	FTON FARMS")
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OFFICE OF RANHING & ZONING APPROVED BY ZOMING COMMISSIONER MENT PLAN Two FAR2N15 BALTINOPE C. C. ANUARY 25th 1977

PETITIONER'S EXHIBIT 5

EXISTING RESIDENTIAL (1-LOT) PROPOSED: RESIDENTIAL (2-LOTS) 8) WATER AND SEWER WATER DESIGNATION: W-7 SEWER DESIGNATION: 5-7 9) THIS PROPERTY AS SHOWN ON THIS PLAN HAS BEEN HELD INTACT SINCE JUL. 14, 1977. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT OFF-SITE DWELLINGS. EXISTING GROUND COVER: WOODS, LAWN & IMPERVIOUS (DRIVEWAY 11) MAXIMUM BUILDING HEIGHT = '35' : 2) THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREA ON THE BASIC SERVICES MAP. : 3) TO THE BEST OF OUR KNOWLEDGE, THIS IS NOT IN A HISTORIC DISTRICT OR SITE.

- :4) THE DEVELOPER MUST PROVIDE THE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGE TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION -UF ANY PROBLEM WHICH MAY RESULT DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
- (S) ON-SITE SOILS ARE "MbD2" (MANOR LOAM) (REFERENCE SOILS MAP: NO. 21)
- (6) THIS SITE. IS NOT AFFECTED BY A 100 YEAR. FLOODFLAIN.
- 17) ZONING HISTORY THERE IS NO ZONING HISTORY OF PREVIOUS ZOHING HEARINGS ON FILE WITH BALTIMORE COUNTY FOR THE SUBJECT SITE (#2304 TUFTON RIDGE RD.)

Professional Certification: I hereby certify that these IHEREBY CERTIFY THAT I HAVE. documents were prepared or approved by me, and that I am a REVIEWED WITH DUE DILIGENCE THE duly licensed professional engineer under the laws of the State MAY 4 2007, AND HAVE PREPARED

UFTON RIDGE RESUBDIVISION

REV. 10/22/2007

SCALE

of Maryland, License No.	6479, Expiration Date: 08/05/2009.	SUBDIVISION PLAN PURSUANT TO				
CERT	IFICATION STAMP	THOSE COMMENTS.				
BALTIMORE COUNTY MIN	NOR SUBDIVISION					
HE PROJECT NO.: 070	33M	PETITIONER'S EXHIBIT 5				
DEVELOPMENT REGULA	TIONS					
EXEMPT FROM	ARTICLE 32, TITLE 4, SUBTITLE 2, BCC					
P D M CERTIFICATION						
APPROVED	DISAPPROVED					
BY:	DATE:					
APPROVED DEPRM						
BY:	DATE:					
LAN	MINOR	SHEET 62/23/2007 CONTRACT NUMBER				

Thomas H. Hutson 2205 Tufton Ridge Road Reisterstown, MD 21136 410-785-1117

Fax: 443-2670186 cindyhutson@comcast.net

November 29, 2007

Mr. Thomas Bostwick Baltimore County Zoning Commissioner's Office County Courts Building 401 Bosley Road, Suite 405 Towson, MD 21204

Re: Case No. 8-140-SPH Tufton Ridge Road, Reisterstown, MD

Dear Mr. Bostwick,

We do not oppose the Sansor Property sub-division. We have high-density development bordering our property.

I believe that this sub-division will be an asset to our community.

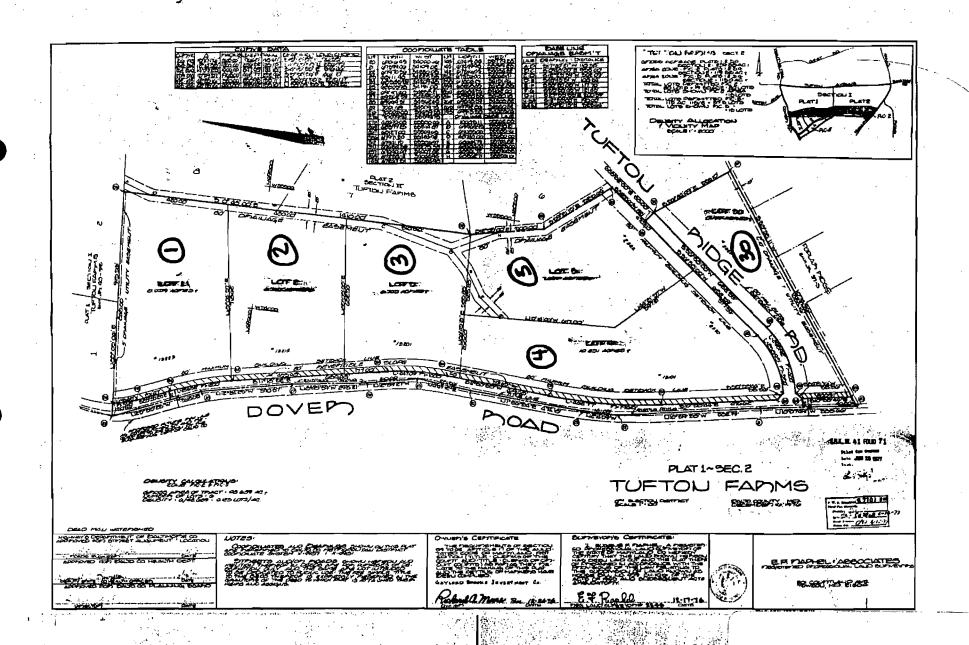
Lots 22 and 23 on Knox Road have been subdivided. Lot 12 has the been subdivided to 12A and 12B.

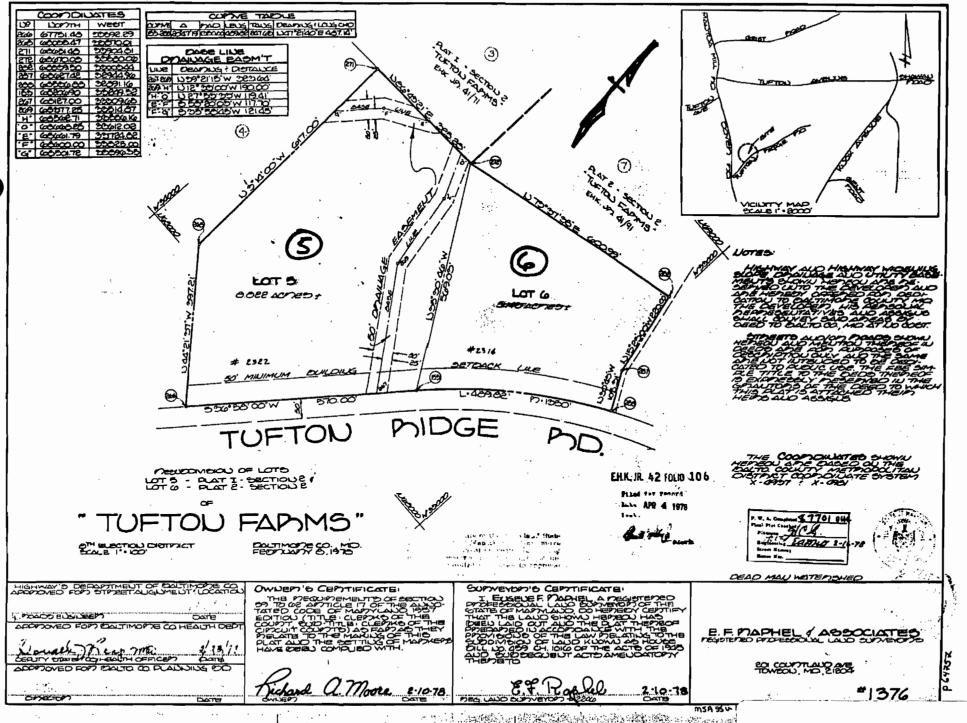
Sincerely,

Cynthia G. Hutson

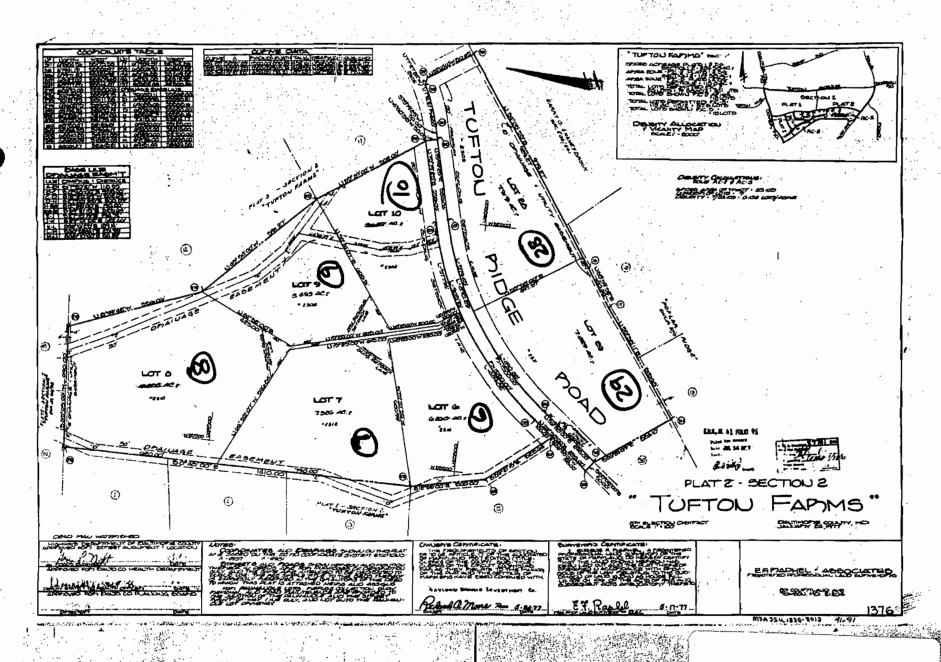
PETITIONER'S

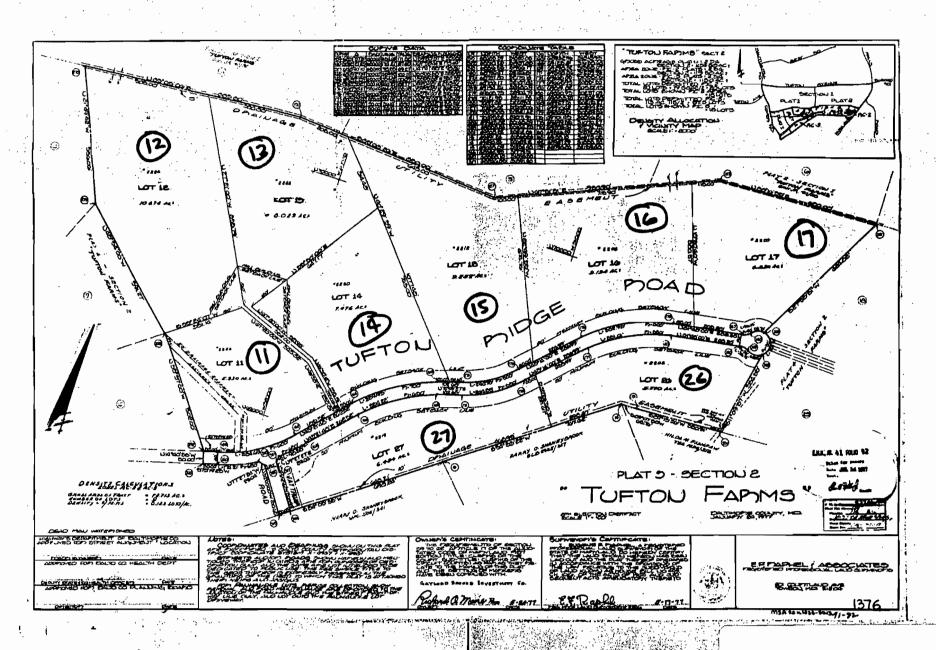
EXHIBIT NO.



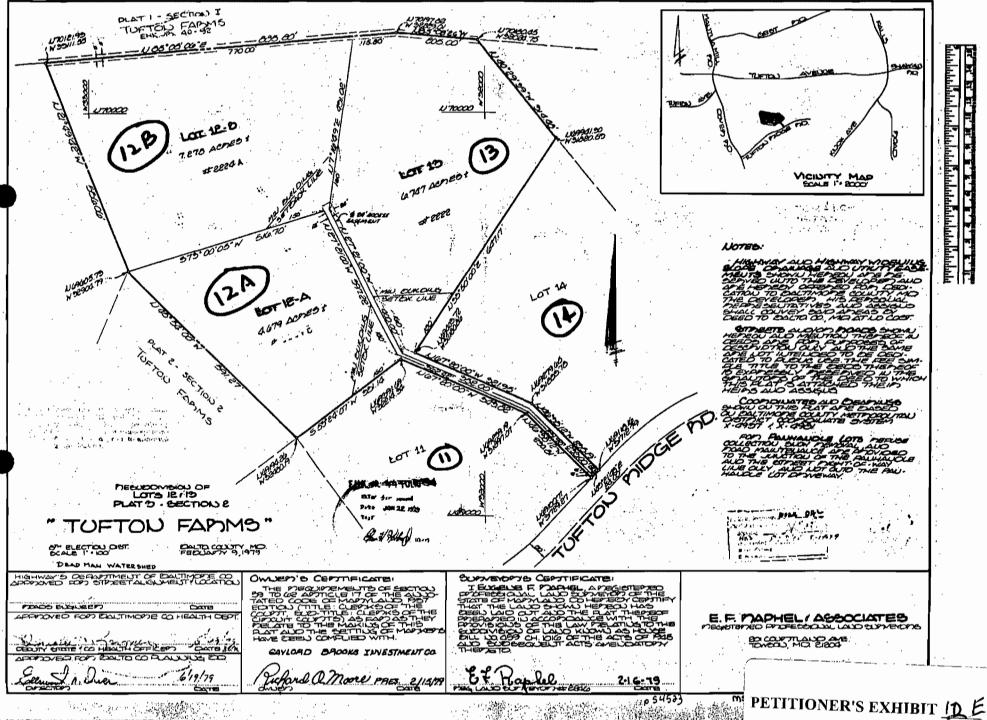


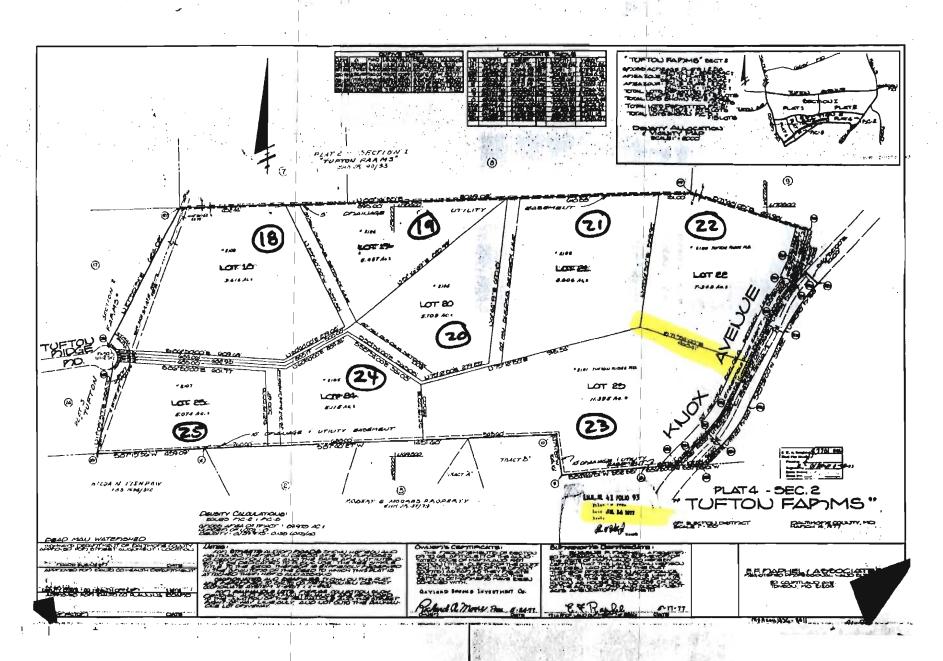
PETITIONER'S EXHIBIT 12 B

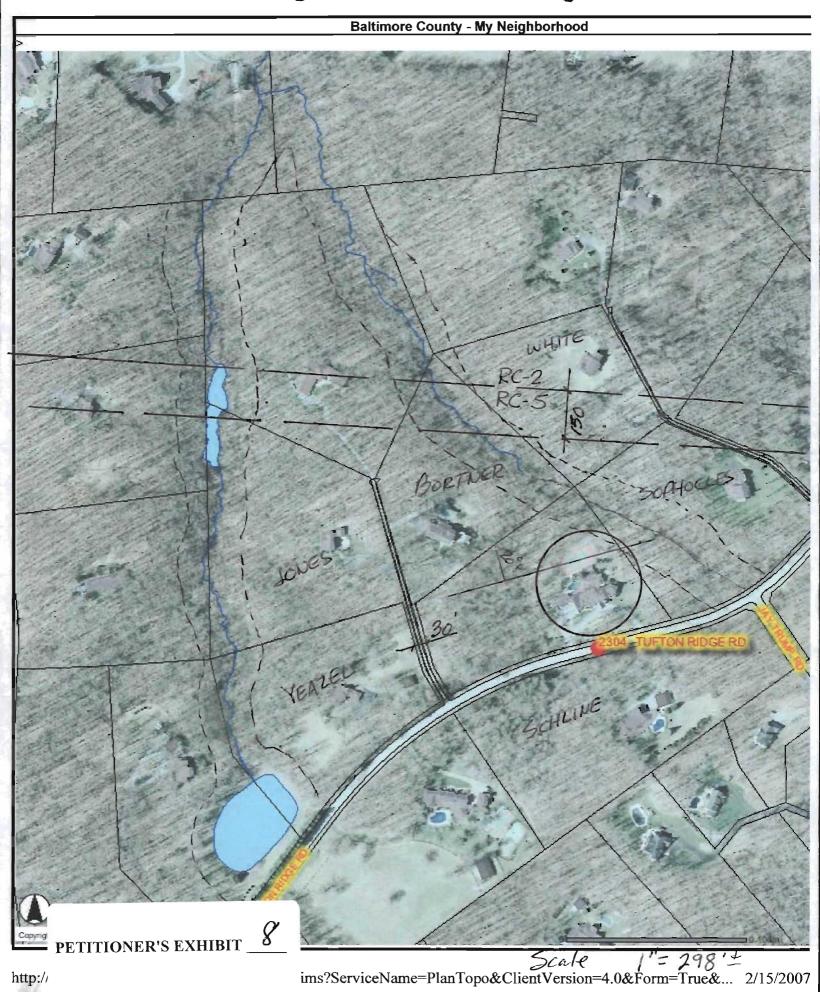




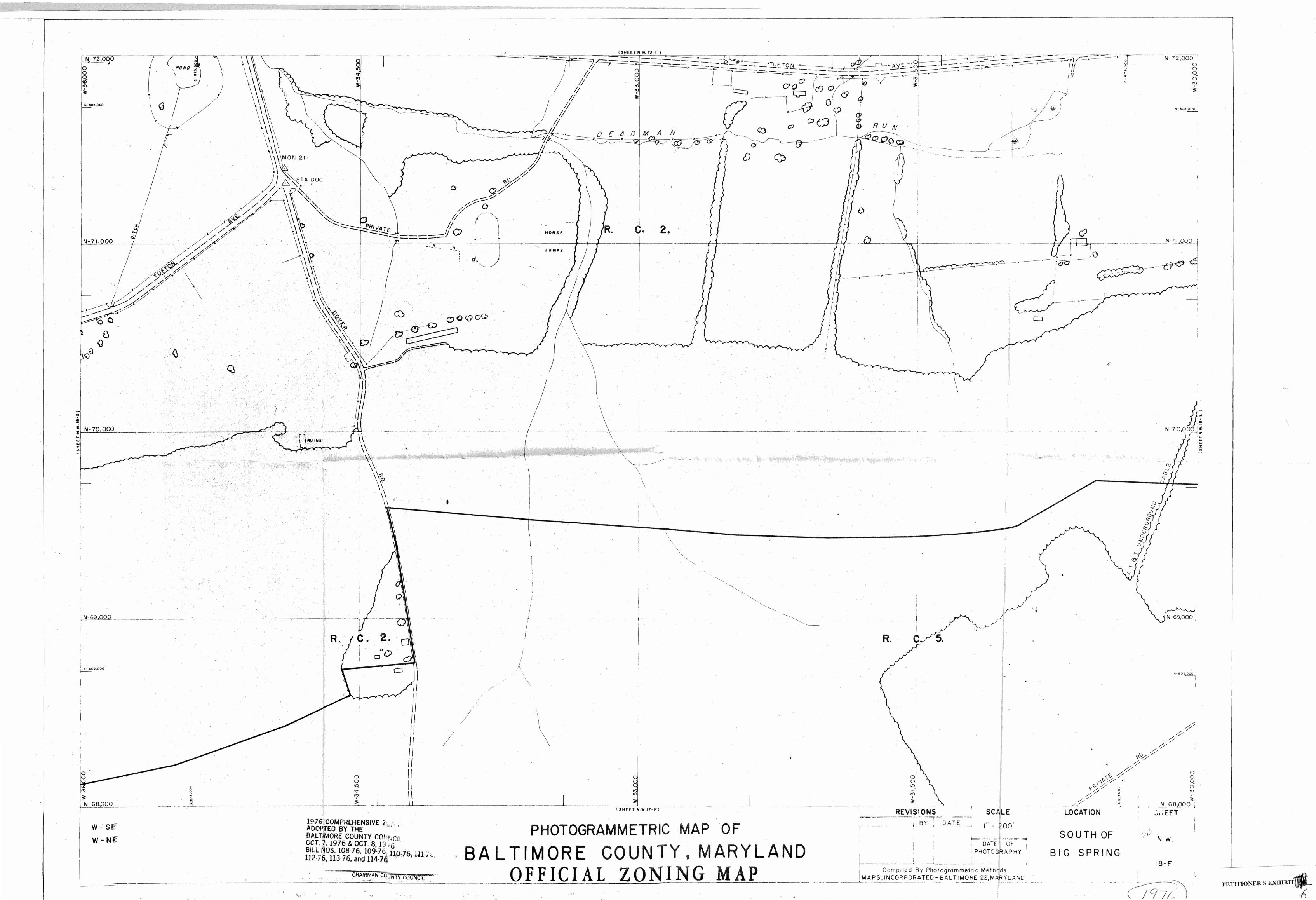
PETITIONER'S EXHIBIT 2

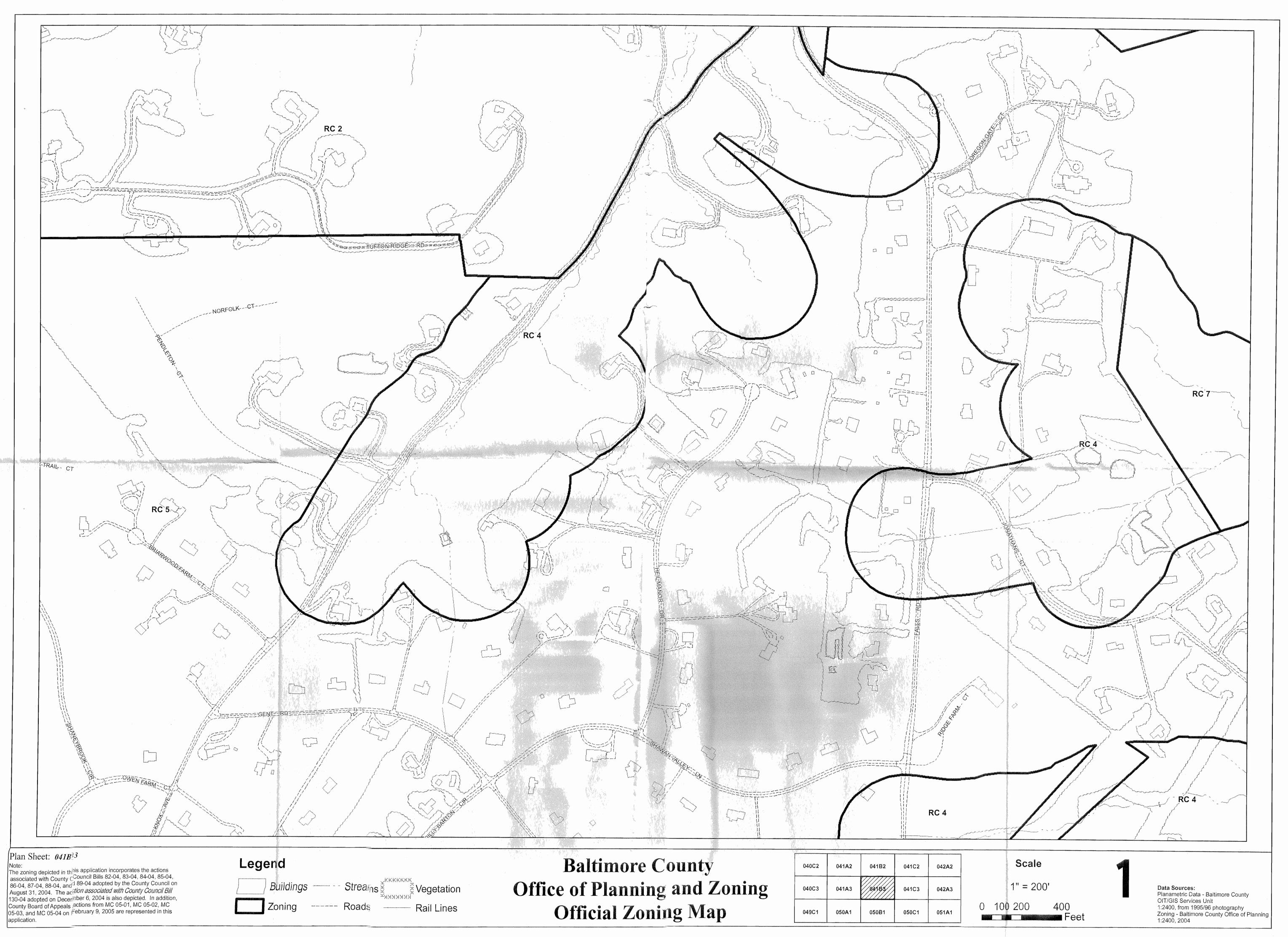


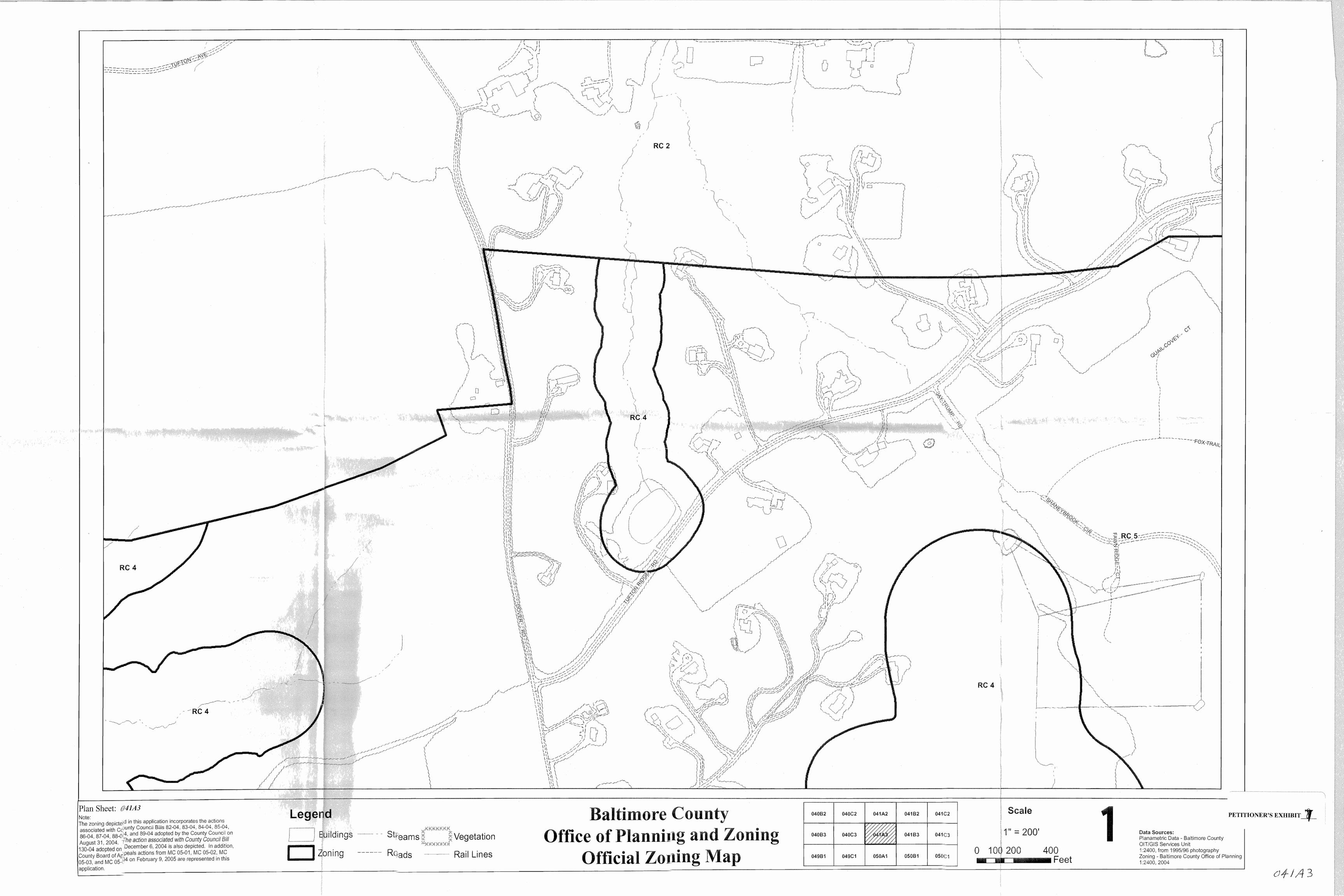





http://

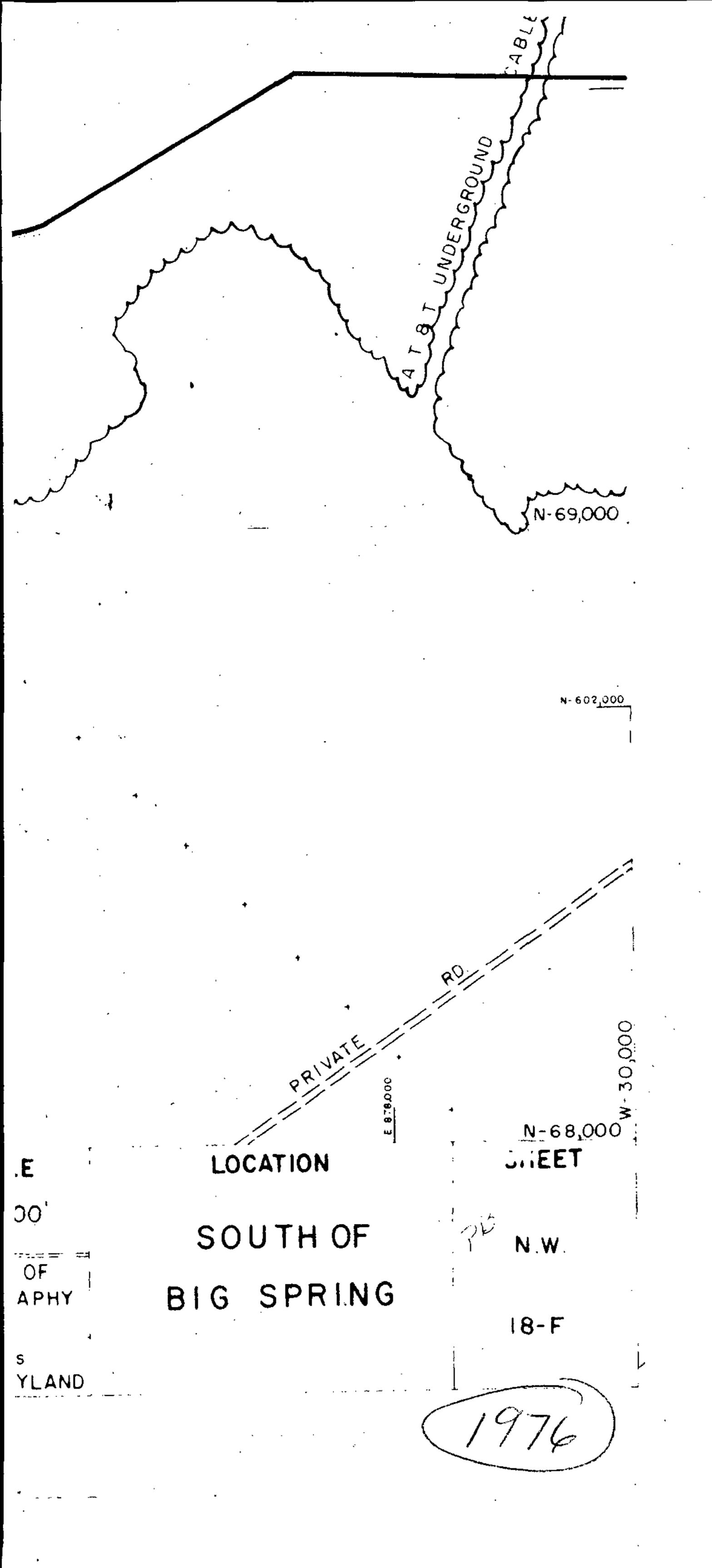




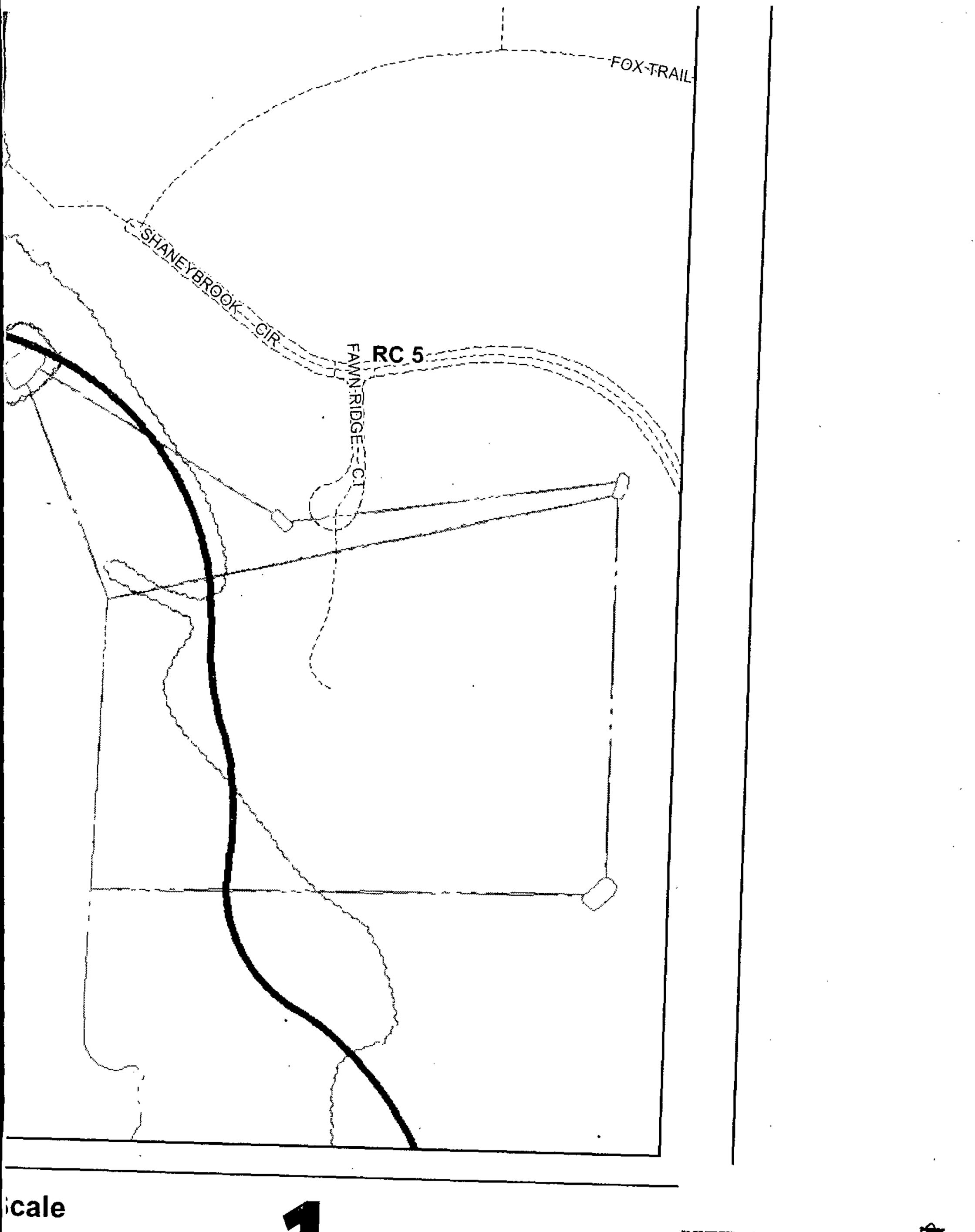




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PETITIONER'S EXHIBIT

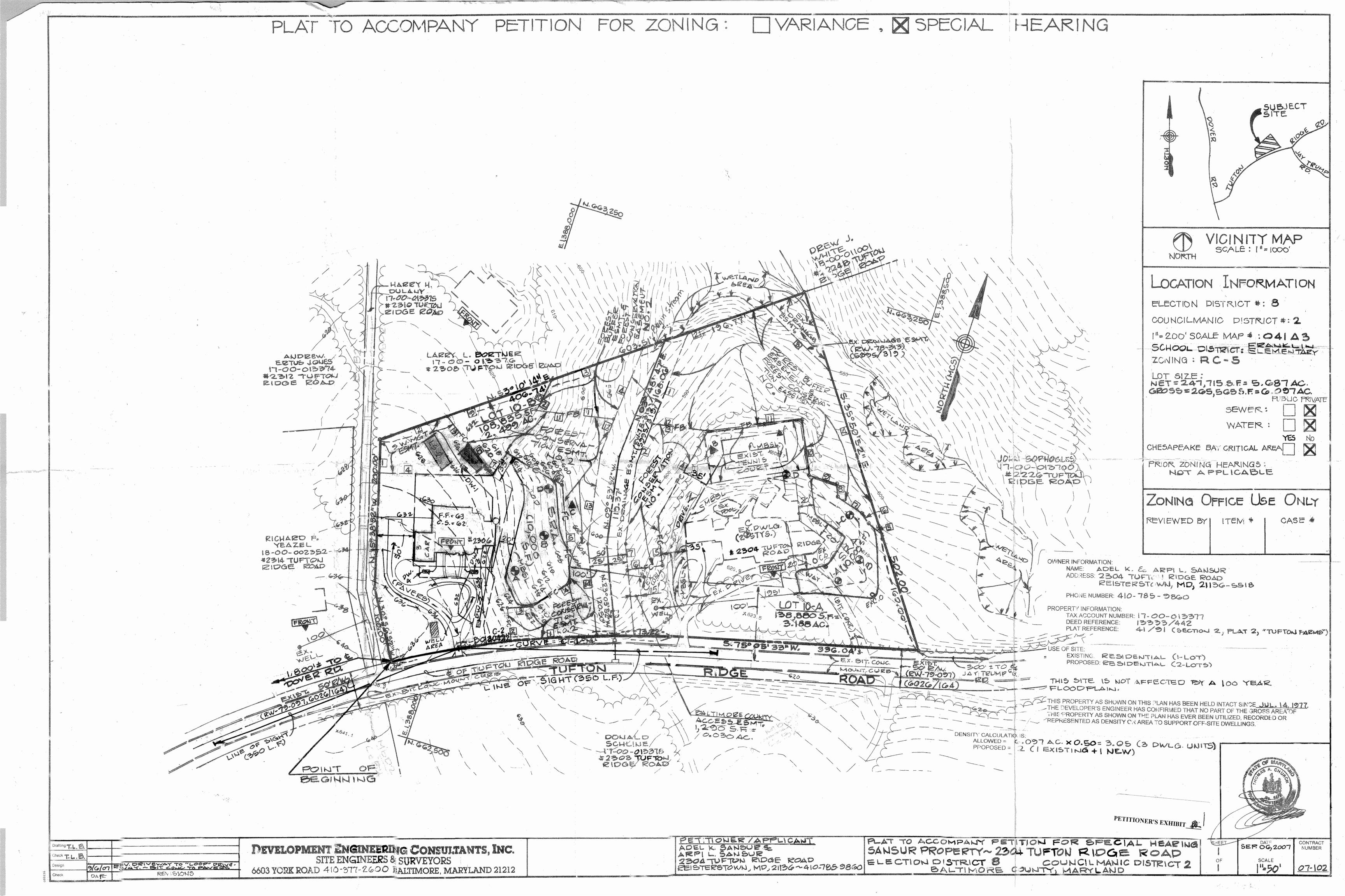


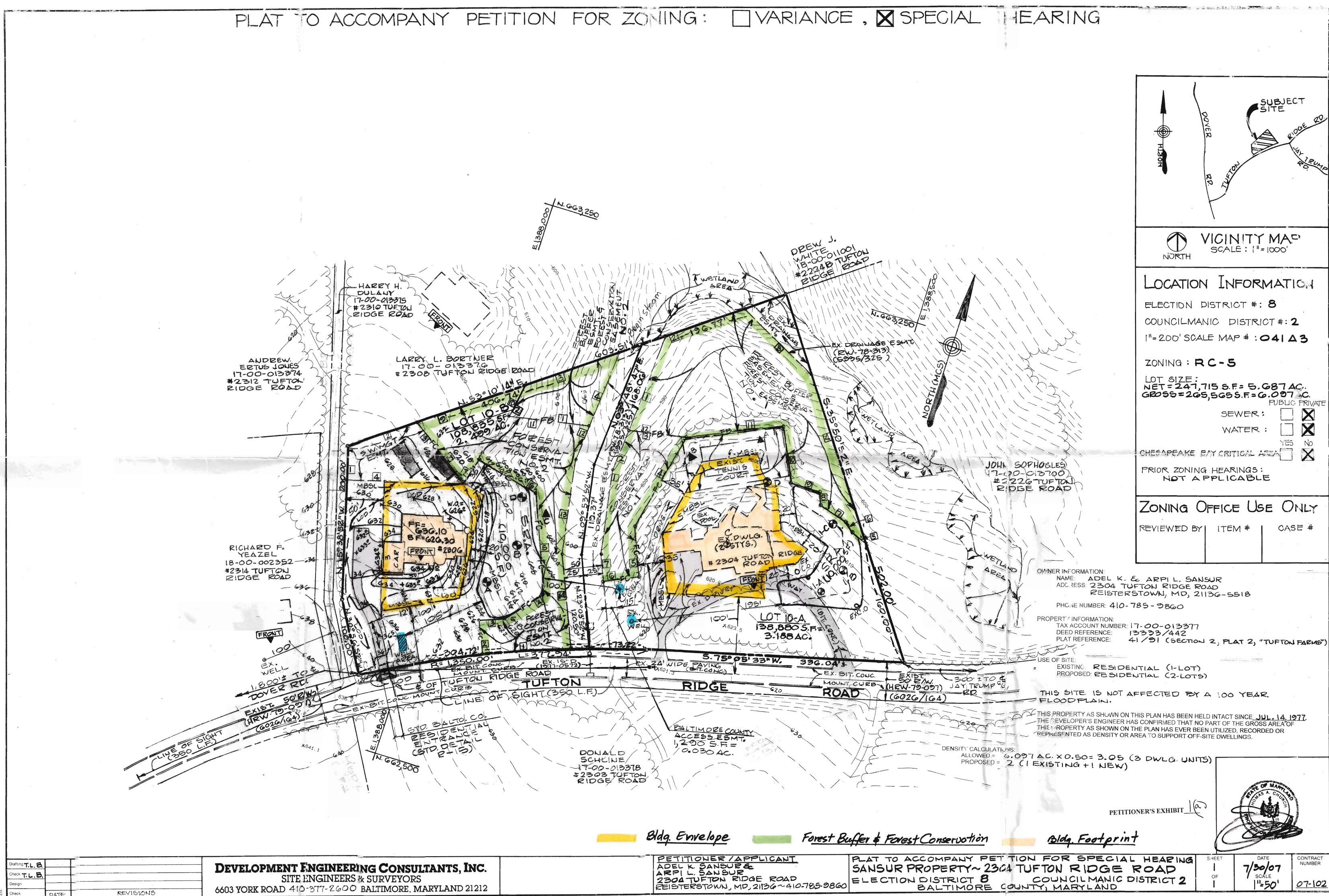
1

PETITIONER'S EXHIBIT

TRIOR ZONING HEARINGS: 00-013700 NOT APPLICABLE 2226 TUFTON HOBE ROAD ZONING OFFICE USE ONLY CASE # REVIEWED BY ITEM # OWNER INFORMATION: NAME: ADEL K. & ARPIL. SANSUR ADDRESS: 2304 TUFTER! RIDGE ROAD REISTERSTOWN, MD, 21136-5518 PHONE NUMBER: 410-785-9860 PROPERTY INFORMATION: TAX ACCOUNT NUMBER: 17-00-013377 DEED REFERENCE: 13333/442 41/91 (SECTION 2, PLAT 2, "TUFTON FARMS PLAT REFERENCE: EXISTING. RESIDENTIAL (I-LOT) PROPOSED: RESIDENTIAL (2-LOTS) THIS SITE IS NOT AFFECTED BY A 100 YEAR. FLOODFLAIN. THIS PROPERTY AS SHOWN ON THIS PLAN HAS BEEN HELD INTACT SINCE JUL. 14, 1977. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT OFF-SITE DWELLINGS. 6.097 AC. X 0.50= 3.05 (3 DWLG. UNITS) 2 (IEXISTING + I NEW) PETITIONER'S EXHIBIT TION FOR SPECIAL HEAPING SEP 06,2007 CONTRACT GHEET NUMBER 4 TUFTON RIDGE ROAD SCALE COUNCIL MANIC DISTRICT ?

WITH WHILL WAR HINEY SOPHOGLES PRIOR ZONING HEARINGS: 007610 26 TUFTON NOT APPLICABLE BE ROAD ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE # OWNER INFORMATION: NAME: ADEL K. & ARPIL. SANSUR ADDRESS: 2304 TUFTON RIDGE ROAD REISTERSTOWN, MD, 21136-5518 PHONE NUMBER: 410-785-9860 PROPERTY INFORMATION: TAX ACCOUNT NUMBER: 17-00-013377 DEED REFERENCE: 13333/442 PLAT REFERENCE: 41/91 (SECTION 2, PLAT 2, "TUFTON FARMS") EXISTING RESIDENTIAL (I-LOT) PROPOSED: RESIDENTIAL (2-LOTS) THIS SITE IS NOT AFFECTED BY A 100 YEAR FLOODPLAIN. THIS PROPERTY AS SHOWN ON THIS PLAN HAS BEEN HELD INTACT SINCE JUL. 14, 1977. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT OFF-SITE DWELLINGS. 37 AC. X 0.50 = 3.05 (3 DWLG. UNITS) I EXISTING +! NEW) PETITIONER'S EXHIBIT Blog Footprint N FOR SPECIAL HEARING SHEET JETON RIDGE ROAD DATE CONTRACT NUMBER





6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

