

IN RE: **PETITION FOR ADMIN. VARIANCE** *

W/S Michelle Way, 200' N c/line of
Shuger Hill Road *
(3614 Michelle Way) *
3rd Election District *
2nd Council District *

Michael K. Exler, et ux
Petitioners *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-213-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Ronnie K. Exler, and her husband, Michael K. Exler. The Petitioners seek relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 40 feet for an addition in lieu of the required 50 feet and to amend the Final Development Plan of Anton Woods, Lot 3 only. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

This case was originally filed as an administrative variance, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without a formal hearing, provided certain conditions are met. First, the property is duly posted and advertised giving public notice of the requested relief. Under the Code, any property owner residing within 1,000 feet of the property in question can request a public hearing within 15 days of the sign posting, if that person objects to the relief requested. If no hearing is requested, the matter can be considered and an Order issued by the Zoning Commissioner/Deputy Zoning Commissioner, based on the documentation contained in the file.

In the instant case, the property was duly posted and within the requisite time period, adjoining property owners, Hirsch and Lillian Seidman, filed a request for public hearing. The matter was therefore scheduled for a public hearing, which was held on January 11, 2008.

ORDER RECEIVED FOR FILING
Date 1-25-08
BY [signature]

Appearing at the hearing in support of the request were Michael K. Exler, property owner, and Beverly True, associated with GBL Custom Home Design, Inc., the consultants who prepared the building elevations for the renovation of this property. Appearing as Protestants in the matter were Hirsch D. Seidman and Lillian Seidman, husband and wife residing at 3618 Michelle Way¹.

Testimony and evidence offered revealed that the subject property is a roughly rectangular-shaped parcel, located on the west side of Michelle Way, just east of Park Heights Avenue in Pikesville. The property is also known as Lot 3 of the subdivision known as Anton Woods, and contains a gross area of 1.16 acres, more or less, zoned R.C.5. Presently, the site is improved with a two-story stone and wood contemporary style dwelling, which features a front porch and large wood deck in the rear yard. Photographs of the property were submitted and described by Mr. Exler. He explained that a 15' x 16' addition and balcony is desired and proposed to be located off of the second floor level on the northwest side of the existing dwelling, adjacent to the Seidman property. It is noted in this regard that a 20' wide easement separates the Seidman's (Lot 1) and the Exler's (Lot 3). The easement agreement was submitted into evidence as Protestants' Exhibit 1. The Petitioners urge that since the owner of the easement effectively abandoned its intent to utilize the panhandle, variance relief can be granted within the spirit and intent of the regulations in as much as no one will use the right-of-way and a 50' side yard set back will in essence be observed. Mr. Exler described the site constraints associated with his property, including the topography and elevation changes associated with the building site and the mature evergreen landscaping that effectively screens the property from Michelle Way. In sum, Mr. Exler opined that the proposed location for the addition was the most appropriate, and that relief should be granted to allow a reduced setback in order to proceed. As evidenced by the architectural elevations, much time and effort has been taken to design a cantilevered option to accommodate the addition. See Petitioners' Exhibit 3. The addition as contemplated will provide for an

¹ A letter was also received from Roberta Perlman, 3609 Michelle Way, who objected to the variance request stating it would have a negative impact on the community.

ORDER RECEIVED FOR FILING
Date 1-25-08
BY [signature]

improved master bedroom with walk-in closets and french doors leading to a new balcony. Mr. Exler also indicated that it would be very difficult, from a functional standpoint, to construct the addition to other parts of the house, i.e, he would be required to remove one existing bathroom if he built straight out from the rear of the home which would be extremely costly and create a rather unpleasing appearance.

The Exler's have owned the property and resided thereon since 1986. He testified that he consulted with a number of architects and eventually settled upon the proposed plans for the project and opined that additional area was needed within the house. In his opinion, the only practical location for the addition is as proposed.

Mr. Seidman presented the subdivision plat and was able to demonstrate that the subject property is not unique when compared with other lots in the neighborhood, and opined that the proposed addition could be added to the rear portion of the house. He questioned Mr. Exler about the construction of the addition, as proposed, having a visually detrimental effect on his property and its value. The Seidman's emphasized that they desire privacy and thus entered into the easement agreement to extinguish the use of the right-of-way as a means of preserving privacy. They asked for a public hearing to the side yard variance request stating, if granted and the proposed structure built, it would be easily visible from their home. Mr. Seidman testified that the Exler property and their property would be noticeably closer than any other two properties in the development. Without a doubt, he stated that this would change the look and character of the neighborhood for the worst. Additionally, it is not the type of structure that screening with landscaping could hide. Ms. Seidman felt that the variance, if granted, would benefit one owner to the detriment of her and her neighbors.

As stated at the conclusion of the hearing, this is a difficult case. From a practical standpoint, I am appreciative of Mr. Exler's desire to expand his home. It was indicated that his house is well maintained, expertly landscaped and that additional space is needed. On the other hand, Mr. and Mrs. Seidman relied on the zoning laws, restrictive covenants and recorded

ORDER PREPARED FOR FILING
Date 1-25-08
By [signature]

development plats as assurances that the character of the development will be maintained and thereby protect their investment.

In considering the variance request, I am mindful of the requirements of Section 307 of the B.C.Z.R., as construed by *Cromwell v. Ward*, 102 Md. App. 691 (1995), which is the leading appellate case in considering the variance statute in Baltimore County. *Cromwell v. Ward* essentially requires a three-part examination of the variance request. First, the Petitioner must demonstrate that the property at issue is unique. Second, it must be shown that the uniqueness of the property results in a practical difficulty upon the Petitioner, if strict compliance with the regulations is required. Third, the Petitioner must demonstrate that the variance, if granted, would not be detrimental to adjacent properties.

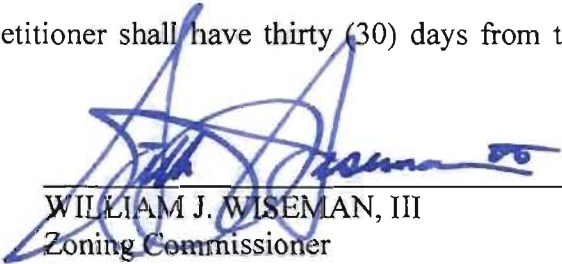
Upon due consideration of the testimony and evidence presented in the instant case, I am not persuaded that the Petitioners have met their burden. Mr. Seidman's testimony and an examination of the subdivision plat were particularly compelling that the subject property is not unique. Indeed, *Cromwell* requires that there must be a unique characteristic of the property at issue (i.e., topography, shape, configuration, etc.), in order for relief to be granted. The characteristics of the subject site are not unique when compared to other lots in the neighborhood. Moreover, I am not persuaded by the testimony presented by the Petitioner that the location for the proposed addition is the only functionally appropriate site. Although I understand and appreciate the testimony offered by the Petitioner about the benefits of economically locating the needed bedroom space at the proposed location versus expenditures of large sums of money to place it elsewhere, I am not persuaded by the argument. I do not find the land unique, as required by *Cromwell* and, moreover, find no justification relating to the design or architectural style of the house which would satisfy this prong. See also *Montgomery County v. Rotwein* 169 Md. App. 716 (2006) involving a similar case where a rear yard pool complicated the location of desired improvements.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be denied.

RECEIVED FOR FILING
Date 1-25-08
BY [signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of January, 2008 that the Petition for Variance seeking relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 40 feet in lieu of the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petitioner shall have thirty (30) days from the date of this Order to file an appeal of this decision.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 1-25-08
By ECJ



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 25, 2008

Michael K. Exler
Ronnie Exler
3614 Michelle Way
Pikesville, Maryland 21208

RE: PETITION FOR ADMIN. VARIANCE

W/S Michelle Way, 200' N c/line of Shuger Hill Road
(3614 Michelle Way)
3rd Election District - 2nd Council District
Michael K. Exler, et ux – Petitioners
Case No. 08-213-A

Dear Mr. and Mrs. Exler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III".

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Beverly True, GBL Custom Home Design, Inc., 3920 London Bridge Road,
Sykesville, MD 21784
Hirsch and Lillian Seidman, 3618 Michelle Way, Pikesville, MD 21208
People's Counsel; File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3614 Michelle Way
which is presently zoned BC 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2.b BCZR

To permit an addition with a side yard setbacks of 40'
in lieu of the required 50'. And to amend the FOP of Antenn
Woods, Lot # 3 only.

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

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11-25-08 day of November, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 08-213-A

Reviewed By JF Date 11-6-07

REV 10/25/01

ORDER RECEIVED FOR FILING

Date 1-25-08

By BP

Estimated Posting Date 11-18-07

Affidavit in Support of Administrative Variance

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

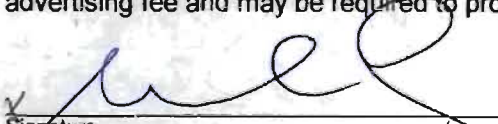
That the Affiant(s) does/do presently reside at

3614 Michelle Way
Address
Pikesville MD 21208
City State Zip Code

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

Due to the limited space in our Master Bedroom, we would like to construct a 15' x 16' addition for a walk in closet for needed storage. This would be the only practical area to place this closet. This would not be detrimental to the neighborhood and would increase the value of our home as well as our neighbors.

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


Signature
Michael Exler
Name - Type or Print

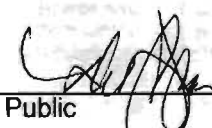

Signature
Ronie Exler
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3RD day of OCTOBER, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MICHAEL K EXLER AND RONIE K. EXLER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires

DEBORAH A. COLE

NOTARY PUBLIC

Baltimore County, MD

My Commission Expires May 1, 2009

ZONING DESCRIPTION FOR 3614 MICHELLE WAY

Beginning at a point on the West side of Michelle Way which is 40' wide at a distance Of 200' North of the centerline of the nearest improved intersecting street Shuger Hill Road which is 50' wide. Being Lot# 3, Block 14, Section # 1 in the subdivision of Anton Woods as recorded in the Baltimore County Plat Book 52, Folio # 133 containing 1.160 acres. Also known as 3614 Michelle Way and located in the 3rd Election District, 2nd Councilmanic District.

**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: # 08-213-A

3614 Michelle Way
W/side of Michelle Way at a distance of 200 feet north of the centerline of Shuger Hill Road

3rd Election District
2nd Councilmanic District
Legal Owner(s): Michael & Ronie Exler

Variance: to permit an addition with a sideyard setback of 40 feet in lieu of the required 50 feet, and to amend the FDP of Anton Woods, lot #3 only.

Hearing: Friday, January 11, 2008 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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.

12/418 Dec. 27 159014

CERTIFICATE OF PUBLICATION

12/27/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/27/, 2007.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **03842**

Date: **11-6-07**

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
				0150				115.00

Total: **115.00**

Rec
 From: Praxis Bookkeeping, Inc.
 For: Admin. Expenses Comp # 08-213-A
2614 Michelle Way

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME MON
 11/07/2007 11/06/2007 09:46:00 2
 DEPT 5 528 JOURNAL VERIFICATION
 000042
 Recpt for 11/05/07 \$115.00
 \$115.00 10 1.00 00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No.: 08-213-A

Petitioner/Developer: MICHAEL

+ RONIE EXLER

Date of Hearing/Closing: 12-03-07

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:

3614 MICHELLE WAY

The sign(s) were posted on 11-18-07
(Month, Day, Year)

Sincerely,



Robert Black 11-18-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



FORMAL DEMAND FOR HEARING

CASE NUMBER: 08-213-A

Address: 3614 Michelle Way

Petitioner(s): Michael and Bonnie Exler

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We HIRSCH + LILLIAN SEIDMAN
Name - Type or Print

() Legal Owner OR (☒) Resident of
3618 MICHELLE WAY
Address

BALTIMORE MD 21208
City State Zip Code

H: 410-484-5245 C: 410-913-5241 W: 410-668-7171
Telephone Number

which is located approximately 50 feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

Lillian Seidman 11/26/07
Signature

Can not make hearing on:

Mon Tues or Wed
or Thursday morning

also ^{1st} week of January

CERTIFICATE OF POSTING

BW
1-11-08
9am

RE: Case No.: 08-213-A

Petitioner/Developer: MICHAEL

RONIE EXLER

Date of Hearing/Closing: 1-11-08

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:

3614 MICHELLE WAY

The sign(s) were posted on 12-27-07
(Month, Day, Year)

Sincerely,

Robert Black 1-2-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

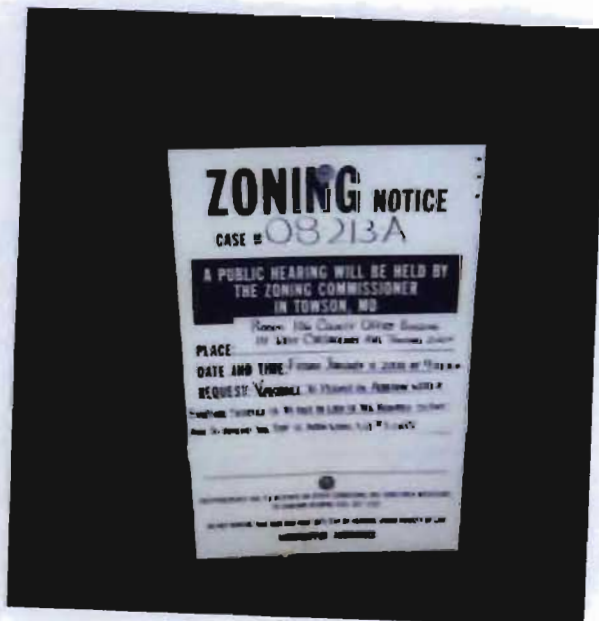
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 213 -A

Address 3614 MICHELLE WAY

Contact Person: JRF

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11-6-07

Posting Date: 11-18-07

Closing Date: 12-03-07

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08- 213 -A

Address 3614 MICHELLE WAY

Petitioner's Name Michael & Ronie Exler

Telephone 410-486-0900

Posting Date: 11-18-07

Closing Date: 12-03-07

Wording for Sign: To Permit an addition with a side yard setbacks
of 40' in lieu of the required 50'. And to amend the
FDP of Anton Woods, Lot # 3 only.

WCR - Revised 6/25/04

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-213-A

Petitioner: Michael Exler

Address or Location: 3614 Michelle Way Pikesville, MD 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Exler

Address: 3614 Michelle Way
Pikesville, MD 21208

Telephone Number: 410-436-0904

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 27, 2007 Issue - Jeffersonian

Please forward billing to:
Michael Exler
3614 Michelle Way
Pikesville, MD 21208

410-486-0906

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: 08-213-A

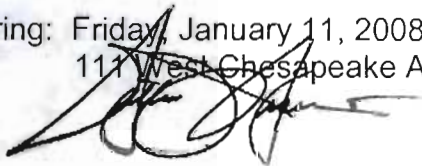
3614 Michelle Way

W/side of Michelle Way at a distance of 200 feet north of the centerline of Shuger Hill Road
3rd Election District – 2nd Councilmanic District

Legal Owners: Michael & Ronie Exler

Variance to permit an addition with a sideyard setback of 40 feet in lieu of the required 50 feet, and to amend the FDP of Anton Woods, lot #3 only.

Hearing: Friday, January 11, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake 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.



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

December 6, 2007

NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-213-A

3614 Michelle Way

W/side of Michelle Way at a distance of 200 feet north of the centerline of Shuger Hill Road
3rd Election District – 2nd Councilmanic District

Legal Owners: Michael & Ronie Exler

Variance to permit an addition with a sideyard setback of 40 feet in lieu of the required 50 feet, and to amend the FDP of Anton Woods, lot #3 only.

Hearing: Friday, January 11, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Michael & Ronie Exler, 3614 Michelle Way, Pikesville 21208
Hirsch & Lillian Seidman, 3618 Michelle Way, Pikesville 21208

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 27, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

January 2, 2008

Michael Exler
Ronie Exler
3614 Michelle Way
Pikesville, MD 21208

Dear Mr. and Mrs. Exler:

RE: Case Number: 08-213-A, 3614 Michelle Way

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 6, 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.

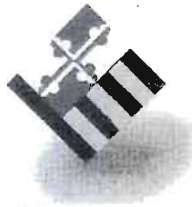
If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf
Enclosures

c: People's Counsel
Hirsch Seidman Lillian Seidman 3618 Michelle Way Baltimore 21208



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

November 16, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 20, 2007

Item Number: Item Numbers 196, ²¹³ 206 through 216

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

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



Maryland Department of Transportation

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

Date: 11/20/2007

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

RE: Baltimore County
Item No. 8-213-A
3614 MICHELLE WAY
EXLER PROPERTY
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-213-A.

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

Very truly yours,

A handwritten signature in blue ink that reads "Michael P. Bailey".

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 28, 2007

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

SUBJECT: 3614 Michelle Way

INFORMATION:

Item Number: 8-213

Petitioner: Ronie and Michael Exler

Zoning: RC 5

Requested Action: Administrative Variance

The petitioner requests an administrative variance of section 1A04.3.B.2.b of the BCZR to permit an addition with a side yard setback of 40 feet in lieu of the required 50 feet and to amend the FDP of Anton Woods for Lot #3 only.

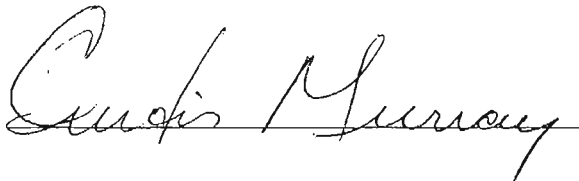
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner;s request provided the following condition is met:

Any new construction shall be consistent with the existing structure. Exterior materials should be consistent or compliment that which is on the existing building.

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

Reviewed by:



AFK/LL: CM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 9, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For November 20, 2007
Item Nos. 08-195, 206, 207, 208, 209,
210, 211, 212, 213, 214, 215, and 216

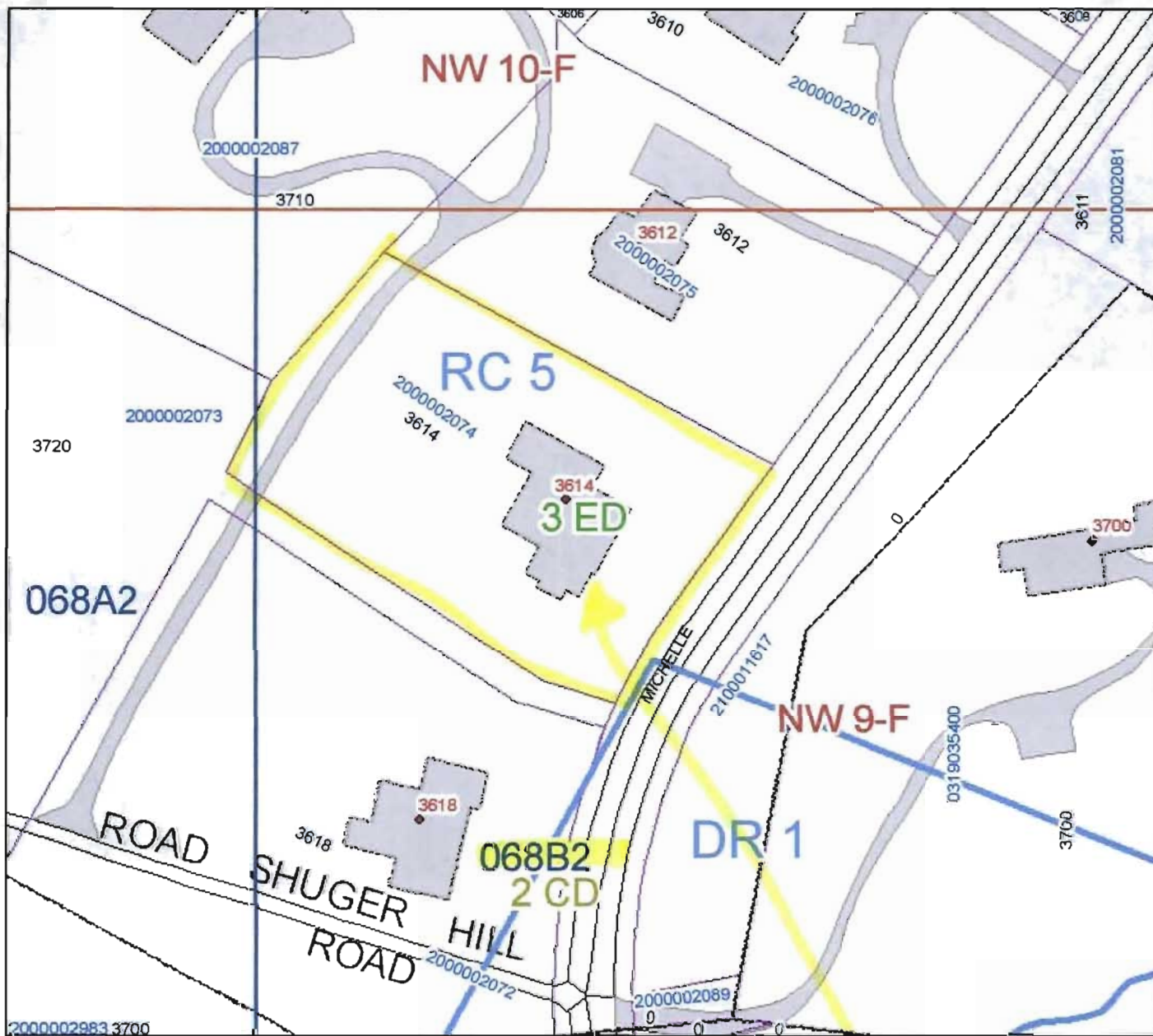
The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-11092007.doc

CASE NAME OB-2/3A
CASE NUMBER _____
DATE 1/11/08

[illegible]

3614 Michelle Way

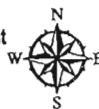


SITE

DQ Map Notes



Publication Date: October 10, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



100 0 100 Feet
1 inch equals 100 feet

Case No.:

08-213-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN	20' Easement Space EASEMENT AGREEMENT
No. 2	Collectively Photographs Existing Conditions	opposite side of Street (M's Pearlman -
No. 3	Architectural Elevations	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Boulard & Brush, LLC
10025 Governor Warfield Parkway
Suite 400 B
Columbia, Maryland 21044

EASEMENT AGREEMENT AND EXTINGUISHMENT

THIS EASEMENT AGREEMENT AND EXTINGUISHMENT, Made this ____ day of August, 2005 by and between **PRESTIGE DEVELOPMENT, INC.**, a body corporate of the State of Maryland, party of the first part (hereinafter "**Prestige**"), and **HIRSCH D. SEIDMAN and LILLIAN SEIDMAN**, husband and wife, parties of the second part (hereinafter the "**Seidmans**").

WHEREAS, Prestige Development, Inc. is the fee simple owner of Lot No. 2 as shown on the plat entitled "**SECTION ONE, ANTON WOODS**" (the "**Prestige Lot**") which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. No. 52, folio 133 (the "**Plat**") by virtue of a deed from Ira H. Malis and Michelle C. Malis, his wife, dated September 8, 2003 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. No. 18830, folio 340; and

WHEREAS, Hirsch D. Seidman and Lillian Seidman, husband and wife, are the fee simple owners of Lot No. 1 on the Plat (the "**Seidman Lot**") by virtue of a deed from Benjamin H. Blum dated March 17, 1986 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. No. 7116, folio 803; and

WHEREAS, the Prestige Lot includes a twenty foot (20') wide fee simple strip located between Lot Nos. 1 and 3 on the Plat running from the Eastern boundary line of Lot No. 2 to Michelle Way for ingress, egress and regress for pedestrian and vehicle traffic and for the installation of utility lines to serve Lot No. 2 (the "**Lot 2 Panhandle**") as noted on the Plat; and

WHEREAS, by Declaration executed by Benjamin H. Blum on January 20, 1986 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K. Jr. No. 7089, folio 55 (the "**Declaration**") the owners of the Seidman Lot and their guests, invitees, lessees, agents, contractors, personal representatives and assigns were granted the right to use the Lot 2 Panhandle in common with the owners of Lot No. 2 subject, however, to the duties and obligations imposed by the Declaration; and

WHEREAS, the Lot 2 Panhandle has never been improved by a driveway for the benefit of Lot No. 1 or Lot No. 2, nor used for the installation of utility lines to service Lot No. 2 or the improvements thereon; and

WHEREAS, the Seidman Lot is subject to two twenty foot (20') wide easements, one running just east of the North 28 degree 17 minute 05 second East 275.43 rear boundary line (the "**Lot 16 Easement**") for the benefit of Lot No. 16 on the Plat and one running between the improvements on the Seidman Lot and the

PROTESTANT'S

EXHIBIT NO.

southerly boundary line of the Seidman Lot for the benefit of the owners of 3700 Shugar Hill Road (aka 3615 Michelle Way) (the "Shugar Easement"); and

WHEREAS, over time the Seidmans have encroached into the Lot 2 Panhandle with various plantings of trees, shrubbery and flowers and have requested that Prestige abandon its right to use the Lot 2 Panhandle for ingress, egress and regress to Michelle Way and further agree to refrain from ever improving the said Lot 2 Panhandle by constructing thereon a driveway to service Lot No. 2; and

WHEREAS, after said request by the Seidmans, Prestige has agreed to abandon it's rights to utilize the Lot 2 Panhandle for ingress, egress and regress of pedestrian and vehicular traffic by the owners, guests, invitees, lessees, agents, contractors, personal representatives and assigns of Lot No. 2 provided, however, that Prestige, and its successors and assigns, shall have, and forever retain, the right to utilize the Lot 2 Panhandle for installation of utility lines for the benefit of Lot No. 2,

WHEREFORE, these presents are executed.

NOW, THEREFORE, IN CONSIDERATION of Five Dollars (\$5.00) paid by each party to the other, the mutual promises made herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Prestige Development, Inc. for itself and for its successors and assigns hereby terminates, revokes, rescinds and abandons the right to utilize the Lot 2 Panhandle for the ingress, egress and regress of the vehicular and pedestrian traffic of the guests, invitees, lessees, agents and contractors of the then owners of Lot No. 2 in and over said Lot 2 Panhandle as if said rights had never been granted or created, said termination, revocation, nullification and abandonment being effective as of the date first set out hereinabove.
2. Prestige for itself and its successors and assigns hereby reserves the right to utilize the Lot 2 Panhandle for the installation of utility lines, including, but not limited to, water and sewer lines, from Michelle Way to Lot No. 2 in perpetuity, or until such time as this Easement Agreement and Extinguishment is itself modified or terminated by an instrument in writing signed by all of the parties who then have rights or ownership in the Prestige Lot and the Seidman Lot, and recorded among the Land Records of Baltimore County, Maryland.
3. The parties hereto acknowledge that there is presently no paving or driveway within the Lot 2 Panhandle and that there are no plans to construct a driveway or in any way pave the Lot 2 Panhandle and therefore each party releases the other, now and forever, from the shared obligations of the maintenance, upkeep and repair of the Lot 2 Panhandle.
4. The Seidmans hereby grant Prestige, its successors and assigns, and the guests, invitees, lessees, agents and contractors of Prestige and its successors

and assigns an easement or right of way over the Lot 16 Easement and the Shugar Easement for ingress, egress and regress to Michelle Way.

5. Neither the Seidmans, nor their personal representatives and assigns shall have any duty or obligation to install, repair or maintain any part of either the Lot 16 Easement or the Shugar Easement.
6. Prestige, and its successors and assigns, shall be solely responsible for the repair of any damage caused by Prestige, or its guests, invitees, lessees, agents, contractors, or the successors and assigns of Prestige and their guests, invitees, lessees, agents and contractors to either the Lot 16 Easement, the Shugar Easement and/or the Seidman Lot.
7. The easements granted hereinabove are a benefit to the Prestige Lot and a burden on the Seidman Lot, are irrevocable, and shall be in perpetuity unless terminated by an instrument executed by all parties then having rights therein. The parties hereto agree to execute any and all other documents and take such further and additional actions as may be requisite to implement and assure the grants and purposes set forth herein. This Easement Agreement and Extinguishment contains the final and entire understanding between the parties hereto and they shall not be bound by any statements or representations, oral or written, not herein contained. Any subsequent amendment to this Agreement shall be valid only if executed in writing by the parties hereto or their successors and assigns and recorded among the aforesaid Land Records.
8. The invalidity of any of the provisions of this Easement Agreement and Extinguishment shall not affect any of the other provisions, all of which shall remain in full force and effect.
9. Prestige shall pay for the cost of preparing this Agreement and the cost of having it recorded among the Land Records of Baltimore County, Maryland.
10. This Easement Agreement and Extinguishment shall be binding upon and shall inure to the benefit of the parties hereto and their respective, successors and personal representatives and assigns.
11. Whenever used in this Agreement the masculine gender shall include the feminine, the feminine the masculine, the singular the plural, and the plural the singular.
12. This Easement Agreement and Extinguishment shall be construed in accordance with the laws of the State of Maryland.

within instrument and acknowledged that they executed the same for the purposes therein contained by signing their names in my presence.

AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: _____

I HEREBY CERTIFY that the within Deed of Agreement and Extinguishment was prepared by the undersigned, an Attorney duly admitted to practice and in good standing before the Court of Appeals of Maryland.

Stuart C. Resnick, Attorney



Commercial Division
10025 Governor Warfield Parkway
Suite 400 B
Columbia, Maryland 21044

Phone: (410)-715-7673

Telecopier: (410)-715-5879

TELECOPIER TRANSMITTAL COVER SHEET

Date: August 16, 2005
Attn: Alan
Fax Number: 410-356-9218
From: Dawn Gosnell
dgosnell@fountainheadtitle.com
Re: Anton Woods

Pursuant to your request, please see attached

Thank-You

CONFIDENTIALITY NOTICE

THE DOCUMENTS ACCOMPANYING THIS TELECOPY TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION BELONGING TO THE SENDER WHICH IS LEGALLY PRIVILEGED AND, IF ADDRESSED TO OUR CLIENT OR CERTAIN COUNSEL, IS SUBJECT TO THE ATTORNEY-CLIENT OR WORK PRODUCT PRIVILEGE. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION REGARDING THE CONTENTS OF THIS TELECOPIED INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE FOR RETURN OF THE ORIGINAL DOCUMENTS TO US.

*Roberta Perlman
3609 Michelle Way
Baltimore, Maryland 21208*

January 10, 2008

Baltimore County Zoning Commissioner
RE: Case # 08-213-A

As a neighbor of Anton Woods I am concerned about another property variance in our neighborhood. We all have at least an acre per house and I feel that we as neighbors need to stay within those confines. To allow the Exler's an additional parcel of land in the set back area encroaches on the Seidman's property and overall has a negative impact on our community.

I trust you will take this into consideration.

Sincerely,


Roberta Perlman

PROTESTANT' S

EXHIBIT NO. 2



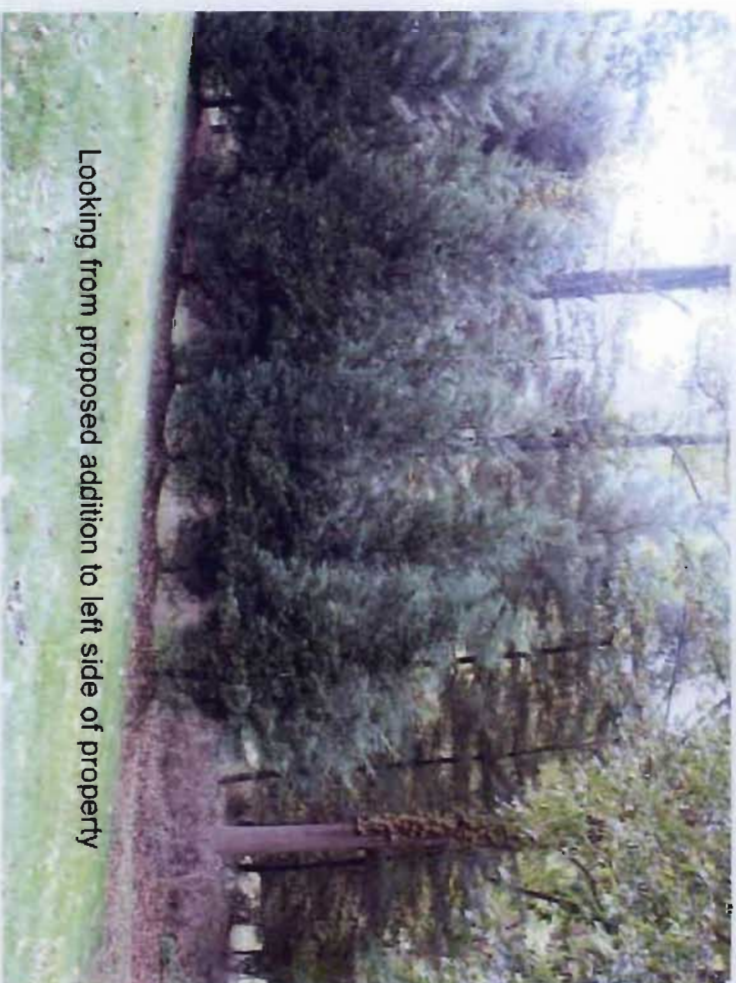
Proposed addition area



Area of exchange



Rear view of house



Looking from proposed addition to left side of property



6614 Michelle Way



View from driveway looking right



Front View looking left
from driveway



Front View- Proposed addition to the left on house

PETITIONER'S
EXHIBIT NO. 2

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

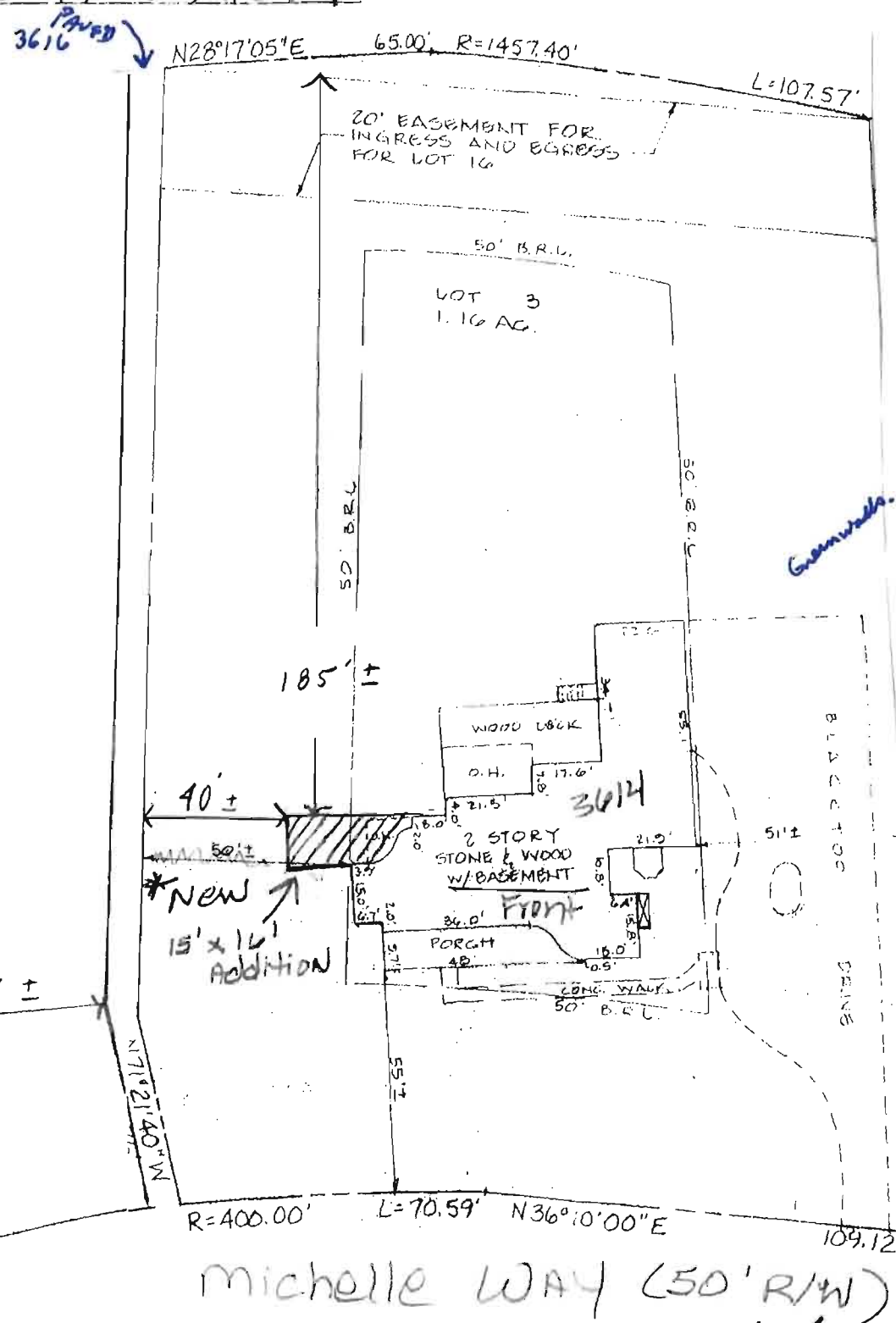
PROPERTY ADDRESS 3614 michelle way

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

SUBDIVISION NAME Anton Woods

PLAT BOOK # 52 FOLIO # 133 LOT # 3 SECTION # 1

OWNER Michael J. Bonnie K. Exler



NORTH

PREPARED BY Beverly True

SCALE OF DRAWING: 1" = 40'



VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 3rd

COUNCILMANIC DISTRICT 2nd

1"=200' SCALE MAP # 06932

ZONING RC5

LOT SIZE 1.160 acres

ACREAGE SQUARE FEET

SEWER PUBLIC PRIVATE
[X] []

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING

YES NO

☐ ☒

— 10 —

☐ ☒

17 18

[12]

ne

ZONING OFFICE USE ONLY

REVIEWED BY ITEM

PETITIONER' S

JF

213

EXHIBIT NO.

GENERAL STRUCTURAL NOTES

1. GENERAL

- ALL CONSTRUCTION SHALL CONFORM WITH THE PROVISIONS OF THE 2008 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS.
- DESIGN LIVE LOADS:
ROOF: 20 PSF
FLOORS: 40 PSF
SLEEPING AREAS: 30 PSF
- THE CONTRACTOR SHALL PROVIDE ALL SHORING AND BRACING AS REQUIRED TO SUPPORT THE EXISTING STRUCTURE. THE CONTRACTOR SHALL EXAMINE THE EXISTING STRUCTURE TO DETERMINE THE EXTENT OF NECESSARY SHORING AND BRACING. THE CAPACITY AND METHOD USED FOR SHORING AND BRACING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

2. FOUNDATIONS

- FOUNDATIONS ARE DESIGNED FOR AN ALLOWABLE SOIL BEARING CAPACITY OF 2000 PSF. FOUNDATIONS SHALL BEAR ON NATURAL UNDISTURBED SOIL 1'-0" BELOW ORIGINAL GRADE. THE BOTTOM OF EXISTING FOUNDATIONS SHALL BE A MINIMUM OF 2'-0" BELOW FINISHED GRADE. CONTRACTOR TO VERIFY THE ALLOWABLE SOIL PRESSURE IN THE FIELD. IF FOUND TO BE LESS THAN 2000 PSF, THE FOUNDATIONS WILL HAVE TO BE REDESIGNED.

3. CAST IN PLACE CONCRETE

- ALL CONCRETE WORK SHALL CONFORM TO THE LATEST APPROVED (BY LOCAL GOVERNMENT) EDITIONS OF THE FOLLOWING A.C.I. AND A.S.T.M. DOCUMENTS:
ACI-301 SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS
ACI-308 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE
- ALL CONCRETE, EXCEPT AS NOTED, SHALL BE (75+5,000 PSI) STONE AGGREGATE CONCRETE AT 28 DAYS. ALL CONCRETE EXPOSED TO THE WEATHER SHALL BE AIR ENTRAINED.
- SLABS ON GROUND SHALL BE 4" THICK CONCRETE REINFORCED WITH 6"x6" #4 @ 18" O.C. OVER 6 MIL POLYETHYLENE VAPOR BARRIER AND 4" WASHED GRAVEL UNLESS OTHERWISE NOTED.

4. MASONRY

- ALL MASONRY CONSTRUCTION AND MATERIALS USED THEREIN (CONCRETE MASONRY, CLAY MASONRY, MORTAR, BRICK AND STEEL REINFORCEMENT) SHALL CONFORM TO 'BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES' (ACI 530-12/ASCE 5-13/TMS 402-4.3) AND 'SPECIFICATIONS FOR MASONRY STRUCTURES' (ACI 530-12/ASCE 5-13/TMS 602-4.2) IN ALL RESPECTS.
- MASONRY BEARING WALLS SHALL CONSIST OF STANDARD HOLLOW UNITS CONFORMING TO ASTM C 90 UNLESS OTHERWISE NOTED. WHERE SOLID UNITS ARE REQUIRED, PROVIDE UNITS CONFORMING TO ASTM C 140.
- ALL MORTAR SHALL CONFORM TO THE REQUIREMENTS FOR PROPORTIONS, MIXING, STRENGTH AND APPLICATION FOR PORTLAND CEMENT-LIME TYPE 'S' MORTAR AS DESCRIBED IN ACI 530-12.
- ALL BRICK OR TILE IN MASONRY WALLS SHALL CONFORM TO ASTM C 476. SLURRY RANGE 8-11% PLACED BRICK IN 2'-0" MAXIMUM FOUR HEIGHTS AND CONSOLIDATED BY MECHANICAL VIBRATION.
- PROVIDE 6" DEPTH OF 100% SOLID MASONRY BELOW ALL JOIST OR SLAB BEARING LINES. PROVIDE 18" HIGH X 18" LONG 100% SOLID MASONRY BELOW ALL LINTELS AND BEAMS UNLESS NOTED OTHERWISE.
- ALL MASONRY WALLS SHALL BE REINFORCED WITH NO. 4 BARS TRUSS TYPE GALVANIZED DUR-O-WALL SPACED VERTICALLY AT 18" O.C. U.N.O. LAP ALL DUR-O-WALL 6" MINIMUM. PROVIDE CORNER AND TEE PIECES AT ALL INTERSECTIONS.
- LOADS LINTELS FOR MASONRY WALLS SHALL BE FOR EACH 4' WIDTH OF MASONRY ONE STEEL ANGLE AS FOLLOWS:
0'-0" TO 5'-0" 8-1/2" X 5-1/2" X 5/8"
5'-0" TO 5'-0" 4" X 5-1/2" X 5/8"
5'-0" TO 5'-0" 5" X 5-1/2" X 5/8"
5'-0" TO 5'-0" 6" X 5-1/2" X 5/8"
ALL ANGLES SHALL HAVE THEIR SHORT LEGS OUTSTANDING AND 6" MINIMUM BEARING.

5. STRUCTURAL STEEL

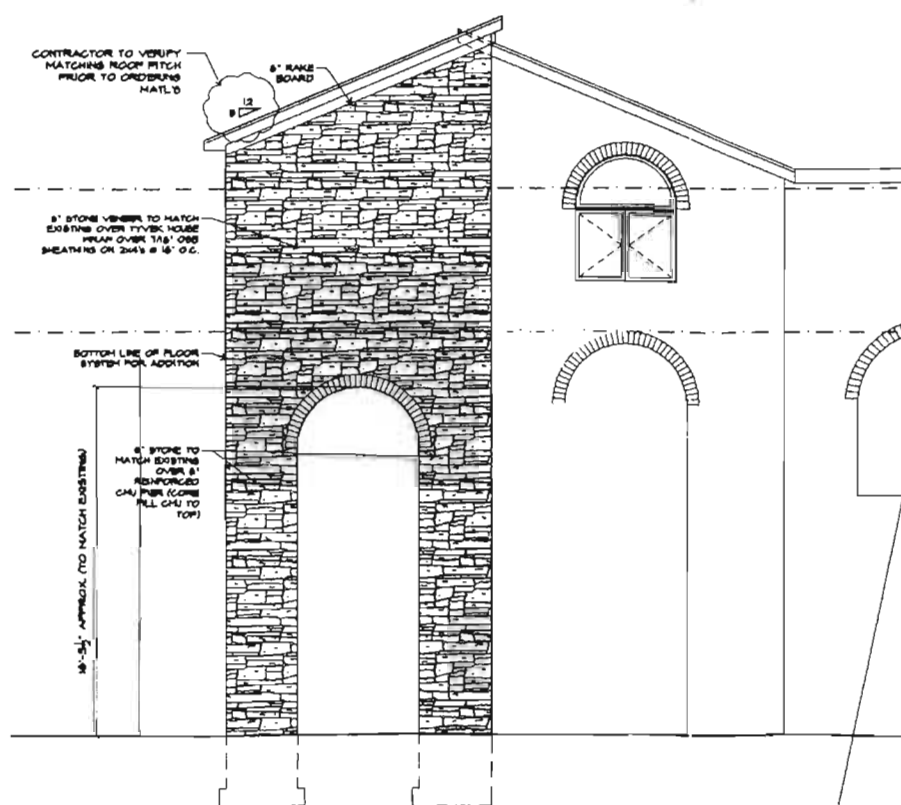
- ALL STRUCTURAL STEEL SHALL CONFORM TO ASTM SPECIFICATION A-36 (LATEST LOCAL APPROVED). ALL STEEL SHALL BE DETAILED, FABRICATED, AND ERECTED IN ACCORDANCE WITH THE AISC MANUAL, AISC SPECIFICATION AND AISC CODE OF STANDARD PRACTICE.
- ALL WELDED CONNECTIONS SHALL BE DONE WITH E70XX ELECTRODES. SHOP AND FIELD WELDS SHALL BE MADE BY APPROVED CERTIFIED WELDERS AND SHALL CONFORM TO THE AMERICAN WELDING SOCIETY CODE FOR BUILDINGS AND D.I. WELDS SHALL DEVELOP THE FULL STRENGTH OF MATERIALS BEING WELDED UNLESS OTHERWISE NOTED.

6. ROOF

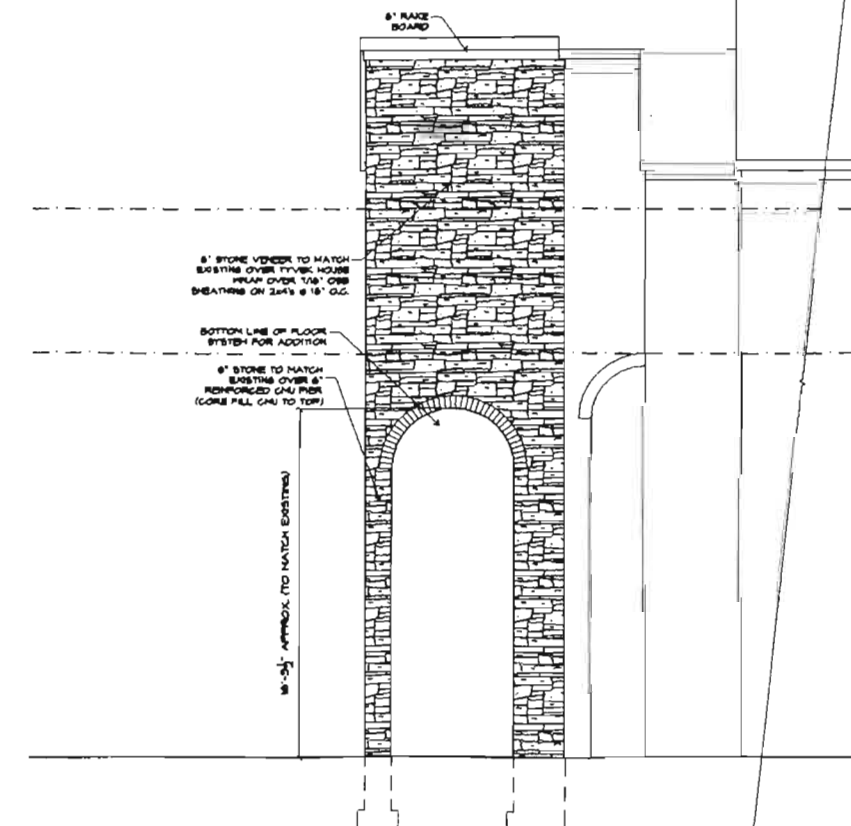
- STRUCTURAL SOLID ROOF RAFTERS, JOISTS, BEAMS AND STUDS SHALL BE HEM FIR #2 OR SPRUCE PINE FIR #2 SURFACED DRY AT A MAXIMUM OF 14% MOISTURE CONTENT. ALL LUMBER EXPOSED TO WEATHER SHALL BE PRESURE TREATED SOUTHERN PINE #2. ALL FABRICATION, ERECTION, OTHER PROCEDURES, AND MINIMUM UNIT STRESSES SHALL CONFORM TO THE CURRENT NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION.
- WOOD TRUSSES SHALL BE DESIGNED, FABRICATED AND ERECTED IN ACCORDANCE WITH THE NATIONAL DESIGN STANDARD FOR METAL PLATE CONNECTED WOOD TRUSS CONSTRUCTION (ANSI/TPI 1) AND COMMENTARY AND RECOMMENDATIONS FOR HANDLING, INSTALLING AND BRACING METAL PLATE CONNECTED WOOD TRUSSES (HIS-10) AS PUBLISHED BY THE TRUSS PLATE INSTITUTE AND IN ACCORDANCE WITH THE 1991 EDITION OF THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION.
- WOOD TRUSSES AND ENGINEERED FLOOR JOISTS ARE TO BE DESIGNED BY THE SUPPLIER. SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER/ARCHITECT FOR REVIEW. ALL TRUSSES AND JOISTS SHALL BE DESIGNED TO LIMIT THE BEARING STRESS TO 425 PSI WHEN MEMBERS BEAR ON STUD WALLS. PROVIDE MEMBERS OF ADEQUATE WIDTH OR METAL CONNECTIONS TO LIMIT STRESSES TO THE SPECIFIED VALUE.
- ALL LAMINATED VENEER LUMBER (LVL) OR PARALLEL STRAND LUMBER (PSL) SHALL HAVE THE FOLLOWING MINIMUM PROPERTIES: F_b=2800psi, E=1,600,000psi, F_v=220psi (PARALLEL), F_v=70psi (PERPENDICULAR).
- ALL DOUBLE MEMBERS SHALL BE NAILED TOGETHER WITH 2 ROWS OF 16d NAILS SPACED AT 12" O.C. ALL TRIPLE MEMBERS SHALL BE NAILED TOGETHER WITH 3 ROWS OF 16d NAILS SPACED AT 12" O.C. NAILED FROM EACH SIDE.
- PROVIDE DOUBLE JOISTS AT PARALLEL PARTITIONS WHERE PARTITION LENGTH EXCEEDS 1/3 JOIST SPAN.
- ALL NAILS ARE TO BE COMMON WIRE NAILS. NAILING OF ALL FRAMING SHALL BE AS SPECIFIED IN THE CONTRACT DOCUMENTS BUT IN NO CASE SHALL BE LESS THAN THE RECOMMENDED NAILING SCHEDULE CONTAINED IN THE 2000 INTERNATIONAL RESIDENTIAL CODE. ALL MULTIPLE STUD POSTS ARE TO BE NAILED TOGETHER WITH 12d NAILS @ 6" O.C. STAGGERED.
- PROVIDE BRIDGING SPACED AT 48" O.C. IN FIRST TWO JOIST, RAFTER OR TRUSS SPACES WHEN FRAMING IS PARALLEL TO EXTERIOR WALL. NAIL SHEATHING (FLOOR, CEILING OR ROOF) TO BRIDGING AND NAIL BRIDGING TO EXTERIOR WALL PLATE. PROVIDE ONE ROW OF BRIDGING BETWEEN ALL FLOOR AND ROOF JOISTS FOR EACH 8'-0" OF SPAN. PROVIDE SOLID BLOCKING OR A CONTINUOUS 2x4 JOIST AT THE BEARING OF JOISTS, RAFTERS OR TRUSSES ON WOOD PLATES.
- PROVIDE THE FOLLOWING JAMB STUDS AT ALL BEARING WALL OPENINGS UNLESS NOTED OTHERWISE:
0'-0" OPENING 1 JACK STUD, 1 KING STUD
5'-1" - 8'-0" OPENING 2 JACK STUDS, 1 KING STUD
8'-1" - 9'-0" OPENING 2 JACK STUDS, 2 KING STUDS
PROVIDE DOUBLE STUDS AT ALL CORNERS AND BENEATH ALL GIRDER TRUSSES AND WOOD BEAMS UNLESS NOTED OTHERWISE ON PLANS. WOOD BEAMS, GIRDER TRUSSES, AND HEADERS SHALL BEAR THE FULL DEPTH OF POSTS AND JACK STUDS.
- ALL POSTS (MULTIPLE STUDS OR SOLID POSTS) SUPPORTING BEAMS, WALL HEADERS OR GIRDER TRUSSES, SHALL BE BLOCKED SOLID FOR THE FULL LENGTH AND WIDTH OF POSTS AT ALL INTERSECTIONS WITH FLOORS AS REQUIRED TO PROVIDE CONTINUOUS SUPPORT TO TOP OF FOUNDATION WALLS OR BEAMS. POSTS SHOWN ON UPPER LEVELS FLOORS SHALL ALSO BE INSTALLED ON THE LOWER LEVELS IN LINE WITH THE POST ABOVE DOWN TO FOUNDATION WALLS OR BEAMS.
- ALL FLUSH JOIST TO BEAM OR BEAM TO BEAM CONNECTIONS SHALL BE MADE WITH JOIST OR BEAM HANGERS TO SUPPORT THE LOAD CAPACITY INDICATED ON THE PLANS OR THE FULL CAPACITY OF THE JOIST OR BEAM HANGERS SHALL BE PROVIDED BY SIMPSON STRONG-TIE OR USE LUMBER CONNECTIONS. THE SUPPLIER SHALL DESIGN ALL HANGERS FOR THE CAPACITY STATED. INSTALL ALL HANGERS IN STRICT CONFORMANCE TO THE MANUFACTURER'S INSTRUCTIONS. FILL ALL NAIL OR BOLT HOLES USING THE SPECIFIED NAILS AND BOLTS ONLY.



REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

ADDITION AND RENOVATION TO THE EXLER RESIDENCE

3614 MICHELLE WAY

PETITIONER'S

EXHIBIT NO.

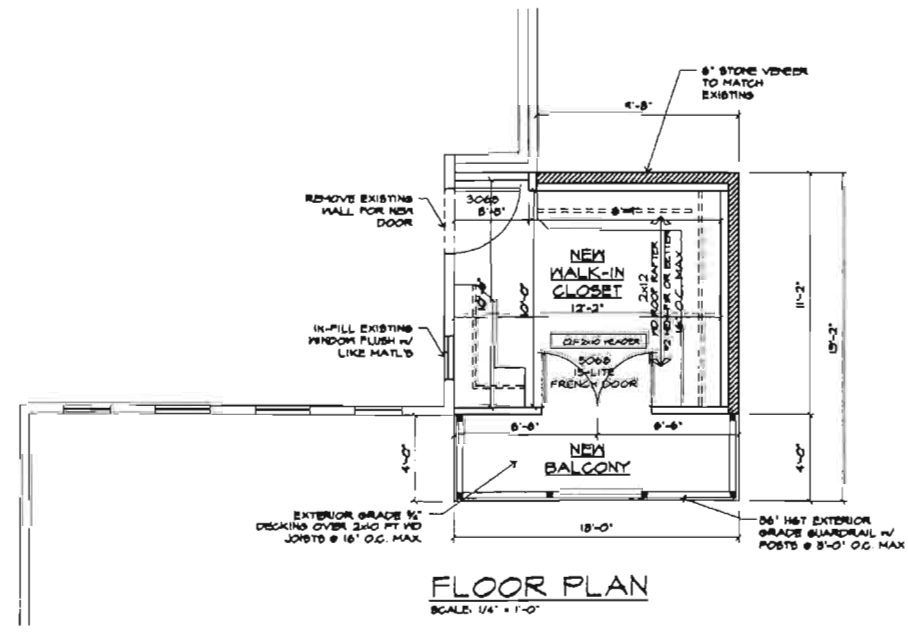
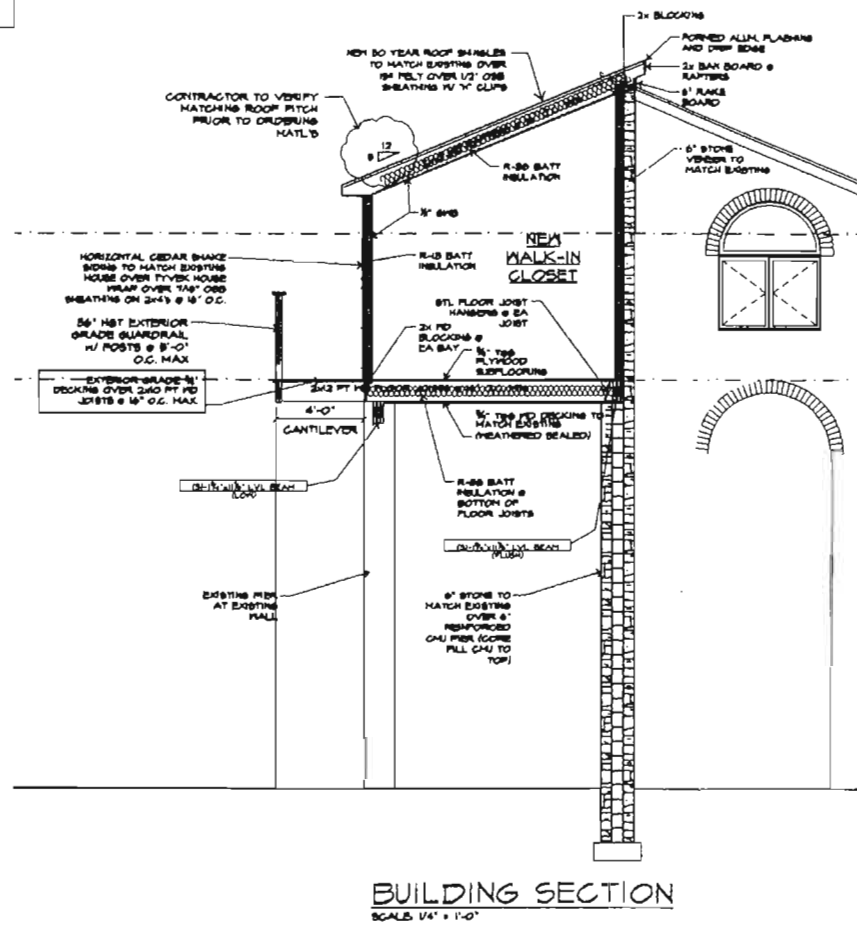
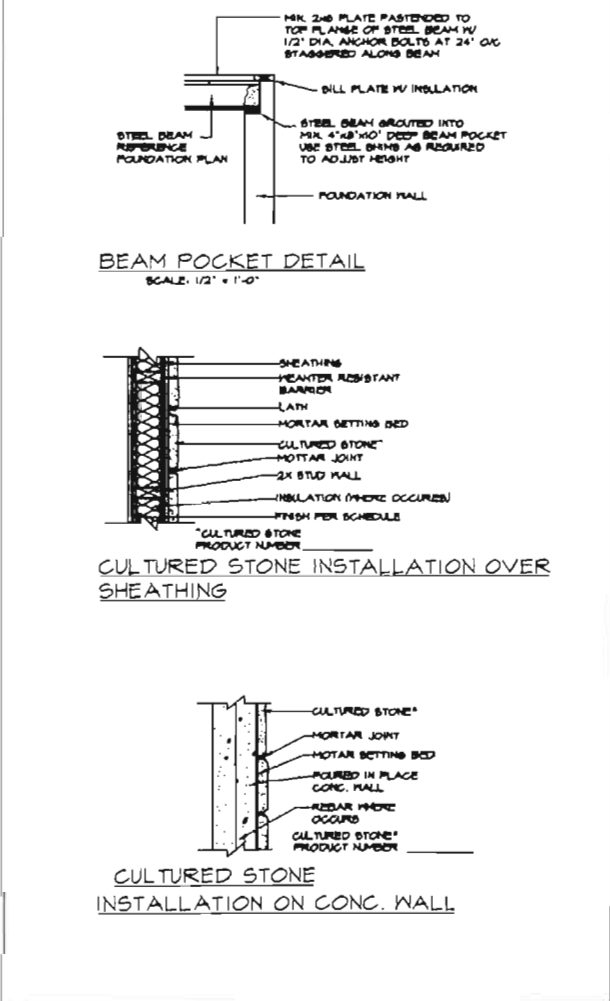
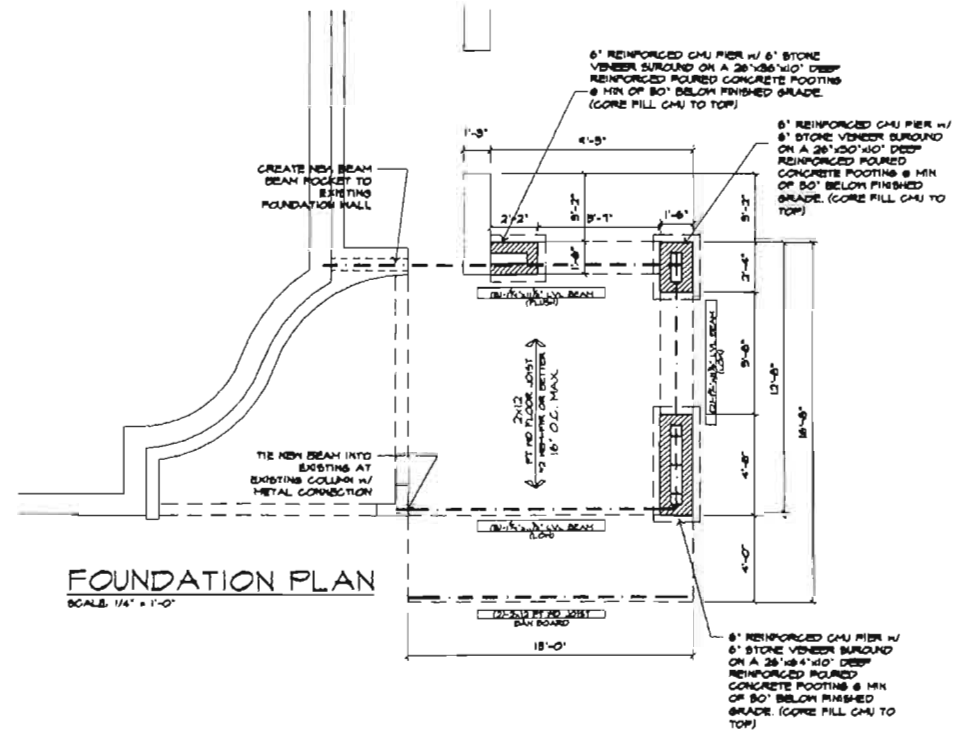
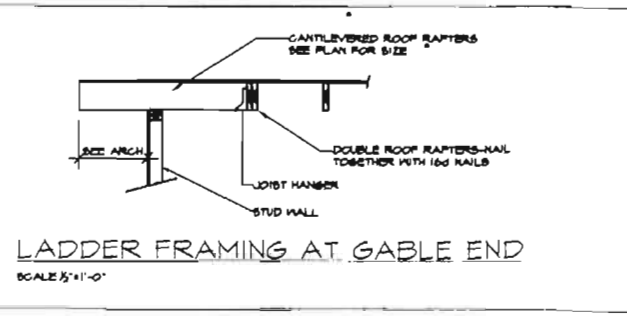
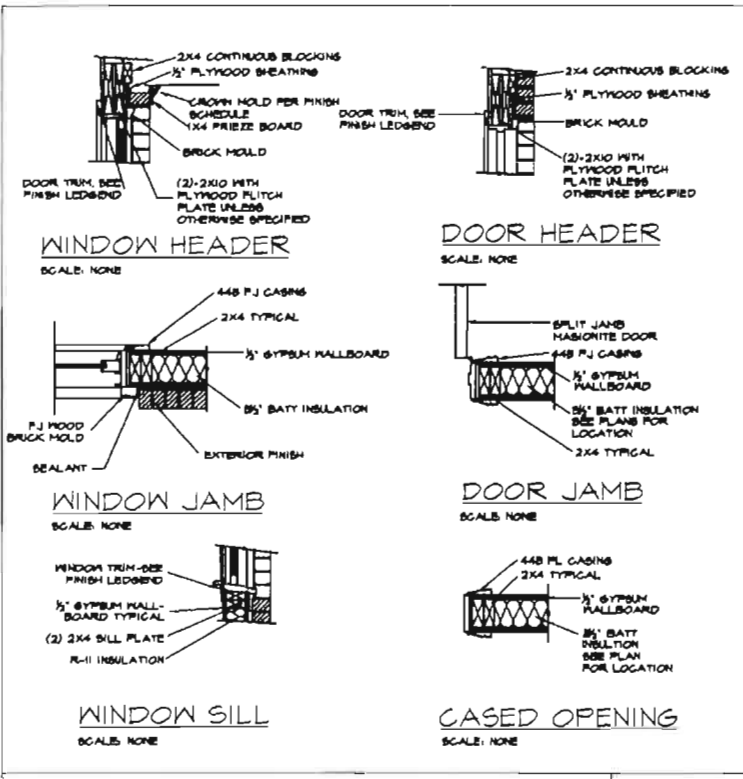
BY: J. DELUCA, LICA 10N/VER/LS/2007-11/PLANS

SCALE: 1/4" = 1'-0" UNO

DATE: 07/30/2007

SHEET NO.: 1 OF 2

G&L CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320



NOTE:
WINDOW SIZES SHOWN ON THIS DRAWING ARE ANDERSEN® 400 SERIES WINDOW SIZES. TO DETERMINE THE ACTUAL WINDOW DIMENSIONS REFER TO A CURRENT ANDERSEN® PRODUCT GUIDE CATALOGUE.

ADDITION AND RENOVATION TO
THE EXLER RESIDENCE
3614 MICHELLE WAY

AJ DELUCA
SCALE: 1/4" = 1'-0" UNO
DATE: 07/30/2007
SHEET NO.: 2 OF 2

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FARMERSBURG, MD 21048
PHONE 410-833-8320