

IN RE: **PETITION FOR VARIANCE**
NW corner of Dogwood Road and
Park Place
(5600 Dogwood Road)
1st Election District
4th Council District

Francisco Marin, et ux
Petitioners

*
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*
*
*

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-220-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Francisco Marin and his wife, Debra Marin. The Petitioners seek variance relief from Section 1B02.3.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an addition. The subject property and requested relief are more particularly described on the site plan and photographs submitted, which were accepted into evidence and marked as Petitioners' Exhibits 1 and 2 respectively.

Appearing at the requisite public hearing in support of the request were Francisco and Debra Marin, property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangularly-shaped narrow parcel located in the Woodlawn area of the County near the Franklinton Historic District not far from the Kernan Hospital. The Marins have owned this property which is referred to as Lot 6-7 and part of lot 5 on the Real Property Tax Map Number 95. They also own lots on either side - lots 8, 9 and 10 on the east side of the subject property as well as lots 3 and 4 on the west side. Lots 3 and 4 are improved with an existing family dwelling which they also rent while part of lots 7, 8, 9 and 10 are unimproved. They have owned the property for seven years during which period they have rented out the property known as 5600 Dogwood

ORDER RECEIVED FOR FILING
Date 1-17-08
By [signature]

Road. Petitioners knew a gentleman named Jake Francis Jr., who sold them their property where they currently reside at 2404 Poplar Drive, and also told them of these properties and his thinking that the properties were good investment properties. It appears that Mr. Marin has worked for Toll Brothers, luxury home builders, for some 24 years. He does business on his own now as Poncho Framing and he wants to build a 30 ft. wide x 16 ft. deep two-story addition to the rear of the home at which time he will remodel the entire structure which is a 1.5 story home built in the 1950s. The property is 57 ft. wide x 100 ft. deep. These are lots of record and recorded on the subdivision of Windsor Terrace and recorded in the County Land Records a long time ago. As indicated, the property is improved with a 1.5 story home measuring 30 ft. wide x 24 ft. deep, with a detached garage and rear yard patio. The proposed two-story addition will not have a basement. The first floor will be used for a family room and the second floor for a master bedroom and bathroom. Currently the house only has one bathroom. Mr. Marin will raise the half-story so that the home will reflect a two- story dwelling and it will be completely re-sided with new vinyl siding as well as the garage to match the renovated structure.

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance request. I must consider the request in accordance with the mandate of *Cromwell v. Ward*, and Section 307 of the B.C.Z.R. in determining whether I think the variance is appropriate. The Court interpreted the regulation to require that two tests be met in order for variance relief to be granted. First, it must be shown that the property is unique in some manner and that this uniqueness drives the need for variance relief. In the case, I find that the uniqueness is the old lot measuring 57 ft. wide x 100 ft. deep, with the existing structure built in 1950 placed centrally on the lot. The Petitioners need 16 ft. in order to update the home and make a useful area for the family room. Secondly, upon my finding that the property is unique, I must next considered whether compliance with the regulation would cause a practical difficulty upon the

ORDER RECEIVED FOR FILING
Date 1-17-08
By [Signature]

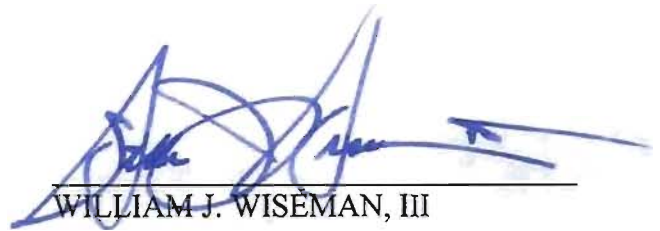
property owners and therefore would be unnecessarily burdensome. In my opinion, denying their request would cause a practical difficulty. There is no room to add an addition to the side yards or in front of the dwelling. I find the variance relief will not have adverse impacts on the surrounding community. The rear of the home is heavily forested forming an adequate buffer from the proposed improvements. For these reasons, I will grant the Petition for Variance.

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 granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of January, 2008 that the Petition for Variance seeking relief from Section 1B02.3.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an addition, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted:

1. Petitioners are advised that they may apply for any required building 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.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz

ORDER RECEIVED FOR FILING
Date 1-17-08
RV (SUC)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 17, 2008

Francisco and Debra Marin
2404 Poplar Drive
Baltimore MD 21207

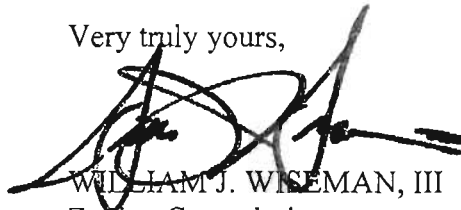
RE: Petition For Variance
(5600 Dogwood Road)
Francisco Marin, et ux – Petitioners
Case No. 08-220-A

Dear Mr. and Mrs. Marin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions 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,



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz

Enclosure

c: People's Counsel; Office of Planning; File



TAX. ACCO#

9111910000316

Petition for Variance

to the **Zoning Commissioner of Baltimore County**
for the property located at 5600 Dogwood Rd
which is presently zoned DR-S.5

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

see attached

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The Reason to Add Addition is Make Sun Room and Bedroom to make it house bigger and Add new heat and A/C and the house is small, we are plan sell the house to my son or someone who would like to buy the house

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):

Francisco G. Marin

Name - Type or Print

Francisco G. Marin

Signature

Debra H. Marin

Name - Type or Print

Debra H. Marin

Signature

2404 Poplar Dr. 4108923175

Address

Telephone No.

Baltimore, MD 21207

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 08-220-A

REV 9/15/98

Date

1-17-08

By

SW

Reviewed By

BN

Date

11/9/07

ORDER RECEIVED FOR FILING

1B02.3.C.2 to permit a rear yard setback of 24 ft. in lieu of the required 30 ft. for an addition.

ZONING DESCRIPTION 5600 DOGWOOD ROAD
BEGINNING AT A POINT ON THE NORTH
DOGWOOD ROAD SIDE OF DOGWOOD ROAD
WHICH FRONT PROPERTY WHICH IS 60' FEET OF
RIGHT-OF-WAY WIDTH WIDE AT DISTANCE OF 117'
WEST OF THE CENTERLINE OF THE NEAREST
IMPROVED INTERSECTING STREET PARK PLACE
WHICH IS 57' OF FEET OF RIGHT-OF-WAY WIDTH
WIDE.BEING PART OF LOT#5,LOT#6,AND PART OF
LOT#7.SECTION #5 IN THE SUBDIVISION OF
WINDSOR TERRACE AS RECORDED IN BALTIMORE
COUNTY PLAT BOOK #6,FOLIO #0180,CONTAINING
5700' SQUARE FEET.ALSO KNOW AS 5600
DOGWOOD ROAD AND LOCATED IN THE 1ST
ELECTION,04 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: # 08-220-A
5600 Dogwood Road
N/west corner of Dogwood Road and Park Place
1st Election District
4th Councilmanic District
Legal Owner(s): Francisco & Debra Marin

Variance: to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an addition.

Hearing: Wednesday,
January 16, 2008 at 11:00
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 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.

JT 1/6/03 Jan. 1 159277

CERTIFICATE OF PUBLICATION

1/3/, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/1/, 2008.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 07626

Date: 11/09/07

PAID RECEIPT

BUSINESS ACTUAL TIME 000
 11/09/2007 11/09/2007 10:10:37 2
 000 12 PAID DEW JES
 RECEIPT # 547304 11/07/2007 DEFLA
 Dept 5 528 (DOWNS VERIFICATION)
 CR 00 007626

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				65.00

Total: 65.00

Rec
 From: FRANCISCO MARIM
 For: 5600 DOGWOOD AVE.
08-220-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Recpt tot 165.00
 \$1.00 CR \$100.00 CA
 \$35.00 CB
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No.: 08-220-A

Petitioner/Developer: F. & M. MARIN

Date of Hearing/Closing: 1-16-08

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

Attention: **Christen Matthews**

Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s)

required by law were posted conspicuously on the property located at _____

5600 DOGWOOD ROAD

The sign(s) were posted on DEC. 31, 2007
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

**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: _____

08-220-A

Petitioner: Francisco G. Marin : Debra A. Marin

Address or Location: 5600 Dogwood Rd Baltimore, MD 21207

PLEASE FORWARD ADVERTISING BILL TO:

Name: Francisco G. Marin : Debra A. Marin

Address: 2404 Poplar Dr.

Baltimore, MD 21207

Telephone Number: 410 298 3175 Home Cell 443 250 0879



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 11, 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: 08-220-A

5600 Dogwood Road
N/west corner of Dogwood Road and Park Place
1st Election District – 4th Councilmanic District
Legal Owners: Francisco & Debra Marin

Variance to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an addition.

Hearing: Wednesday, January 16, 2008 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Francisco & Debra Marin, 2404 Poplar Drive, Baltimore 21207

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



TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 1, 2008 Issue - Jeffersonian

Please forward billing to:
Francisco Marin
2404 Poplar Drive
Baltimore, MD 21207

410-298-3175

NOTICE OF ZONING HEARING

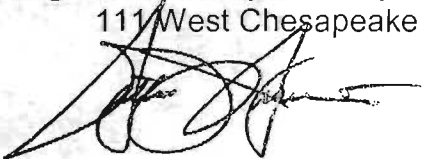
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111 West Chesapeake Avenue, Towson 21204



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.

ZONING NOTICE

CASE # 08-220-A

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

ROOM 106, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MD. 21204

PLACE: _____
DATE AND TIME: WEDNESDAY, JANUARY 16 - 2008
AT 11:00 A.M.

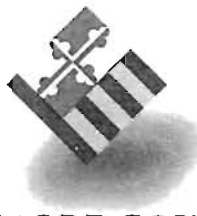
REQUEST: VARIANCE TO PERMIT A REAR
YARD SETBACK OF 24 FEET IN LIEU OF THE
REQUIRED 30 FEET FOR AN ADDITION

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3291.

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

HANDICAPPED ACCESSIBLE





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 9, 2008

Francis G. Marin
Debra A. Marin
2404 Poplar Drive
Baltimore, MD 21207

Dear Mr. and Mrs. Marin:

RE: Case Number: 08-220-A, 5600 Dogwood Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 9, 2007. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 28, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For December 3, 2007
Item Nos. 08-219, 220, 225, 226, 227, 228,
229, 230, 232, 233, and 234

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-11282007.doc



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Nov. 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. 8-220-A
5600 DOGWOOD ROAD
MARIN PROPERTY
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. 8-220-A.

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

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

December 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 26, 2007

Item Number: 217,218,219,220,222,224,225,226,227,228,229,232

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



Printed with Soybean Ink
on Recycled Paper

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

From: Curtis Murray
To: Wiley, Debra
Date: 01/10/08 3:58:02 PM
Subject: Re: Office of Planning Comments Needed

Ok I will look into those Debbie.

Curtis J. Murray
Development Planner
Baltimore County Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
410-887-3480
Fax: 410-887-5862
cjmurray@co.ba.md.us

>>> Debra Wiley 01/10/08 3:57 PM >>>
Hi Curtis,

Bill has two (2) cases scheduled next week and in reviewing the files, we need OP comments.

CASE NUMBER: 8-220-A

5600 Dogwood Road
Location: NW corner of Dogwood Road and Park Place.
1st Election District, 4th Councilmanic District
Legal Owner: Francisco and Debra Marin

VARIANCE to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an addition.

Hearing: **Wednesday, 1/16/2008 at 11:00:00 AM**, County Office Building, 111 West Chesapeake Avenue, Room 106, Towson

CASE NUMBER: 8-225-SPHA

16809 York Road
Location: E side of York Road, 330 feet N of Grace Ridge Court
7th Election District, 3rd Councilmanic District
Legal Owner: Kenneth C. and Sally K. Stevenson

SPECIAL HEARING to approve accessory structure (barn) larger than the principal building.

VARIANCE To allow an accessory structure (barn) with a height of 21 feet in lieu of the required 15 feet.

Hearing: **Thursday, 1/17/2008 at 9:00:00 AM**, County Courts Building, 401 Bosley Avenue, Room 407, Towson

Thanks for your usual cooperation and have a great day !!

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204

08-220-A

DPR	No comment
SPHA	No objection
F.D.	No comment

Notice ✓ Posting ✓
PC Appearance ✓

Missing:
OP

1/10

BW Y/6
11 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 24, 2008

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

RECEIVED
JAN 29 2008

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-220- Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

Sandra Murray

Division Chief:

Lyman Louhoe

CM/LL

RE: PETITION FOR VARIANCE * BEFORE THE
5600 Dogwood Road; NW corner *
Dogwood Road & Park Place * ZONING COMMISSIONER
1st Election & 4th Councilmanic Districts *
Legal Owner(s): Francisco & Debra Marin * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-220-A

* * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of November, 2007, a copy of the foregoing Entry of Appearance was mailed to, Francisco & Debra Marin, 2404 Poplar Drive, Baltimore, MD 21207, Petitioner(s).

RECEIVED

NOV 29 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TB 1/23

GREATER TIMONIUM COMMUNITY COUNCIL, INC.

C/O 44 E. Timonium Rd. Timonium, Md. 21093
Phone: 410-252-3444 -- Email: Leabo@aol.com

January 26, 2008

RECEIVED
FEB 05 2008

BY: _____

Leslie M. Pittler, Esq.
25 Wandsworth Bridge Way
Lutherville, Md. 21093

Re: **Case No. 07-220-Spha - County Board of Appeals of Baltimore County**
Schaefer-Timonium, LLC - Legal Owner/Petitioner
2312 York Road, 3 Thelma St. and Parcel A on Highview Street
8th Election District, 3rd Councilmanic District

1/31/07 - D.Z.C'S Decision in which requested zoning relief was DENIED.
3/06/07 - Petitioner's request for reconsideration is DENIED by D.Z.C.

which was scheduled to be heard March 11, 2008 has been **POSTPONED** at the request of Counsel for Petitioner, and without objection by the Office of People's Counsel; TO BE RESCHEDULED FOR HEARING AFTER OCTOBER 1, 2008, AND THE ADOPTION OF THE 2008 COMPREHENSIVE ZONING MAPS; AND RESET ONLY UPON THE REQUEST OF COUNSEL/PARTIES TO THIS MATTER.

Dear Les:

In discussion with Pete Zimmerman, People's Council about this issue above, **prior to the** postponement of the appeal hearing, he stated that if the zoning on this land was not granted in the Comprehensive Zoning cycle, you would withdraw your appeal petition from the Appeal's Board. Based upon that plan, we agreed.

Now, we request, in writing, your agreement to withdraw this case after the Comprehensive Zoning Maps of 2008 have been completed and your client **was not** granted any change in current zoning of the properties noted above.

The only reason we agreed to the postponement is because of your agreeing to withdraw the appeal case if you loose the comprehensive zoning petition.

May we have your letter of this agreement?

Sincerely yours,


Louis W. Miller
Past President and Board Member GTCC, Inc.

CC: People's Council, Pete Zimmerman
Pat Keller, Planning Director
✓ William Wiseman III, Zoning Commissioner
Mike Mohler, Code Enforcement/PDM
Raymond S. Wisnom, Jr., Code Official/PDM/cc-06-2568
Timothy M. Kotroco, Director/PDM

Harold Barnes, President, West Timonium Heights Comm. Assoc.
Tim Wenzel, 5 Thelma St., Timonium, Md. 21093

CASE NAME _____
CASE NUMBER 08-220-A
DATE 1-16-08

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DATE 1-16-08

[illegible]



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
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Account Identifier: District - 01 **Account Number -** 0119000036

Owner Information

Owner Name: MARIN FRANCISCO **Use:** RESIDENTIAL
 MARIN DEBRA **Principal Residence:** NO
Mailing Address: 2404 POPLAR DR **Deed Reference:** 1) /15824/ 440
 BALTIMORE MD 21207-6029 2)

Location & Structure Information

Premises Address **Legal Description**
 5600 DOGWOOD RD LT 6-7 PT 5
 5600 DOGWOOD RD
 WINDSOR TERRACE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
95	4	246				5	6	1	Plat Ref: 6/ 180

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1950	1,080 SF	5,000.00 SF	04
Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2007	07/01/2008
Land	25,000	89,000		
Improvements:	58,000	83,620		
Total:	83,000	172,620	112,873	142,746
Preferential Land:	0	0	0	0

Transfer Information

Seller: KAUN ROLAN W	Date: 12/05/2001	Price: \$68,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /15824/ 440	Deed2:
Seller: SABATINO ELIZABETH J	Date: 02/03/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12642/ 203	Deed2:
Seller: SABATINO CARLO N	Date: 12/03/1986	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 7345/ 342	Deed2:

Exemption Information

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

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

0119390640

4 CD



NW 2-E

DR 5.5

095B1

1 ED

P.B. FOLIO 006180

PARK

DOGWOOD

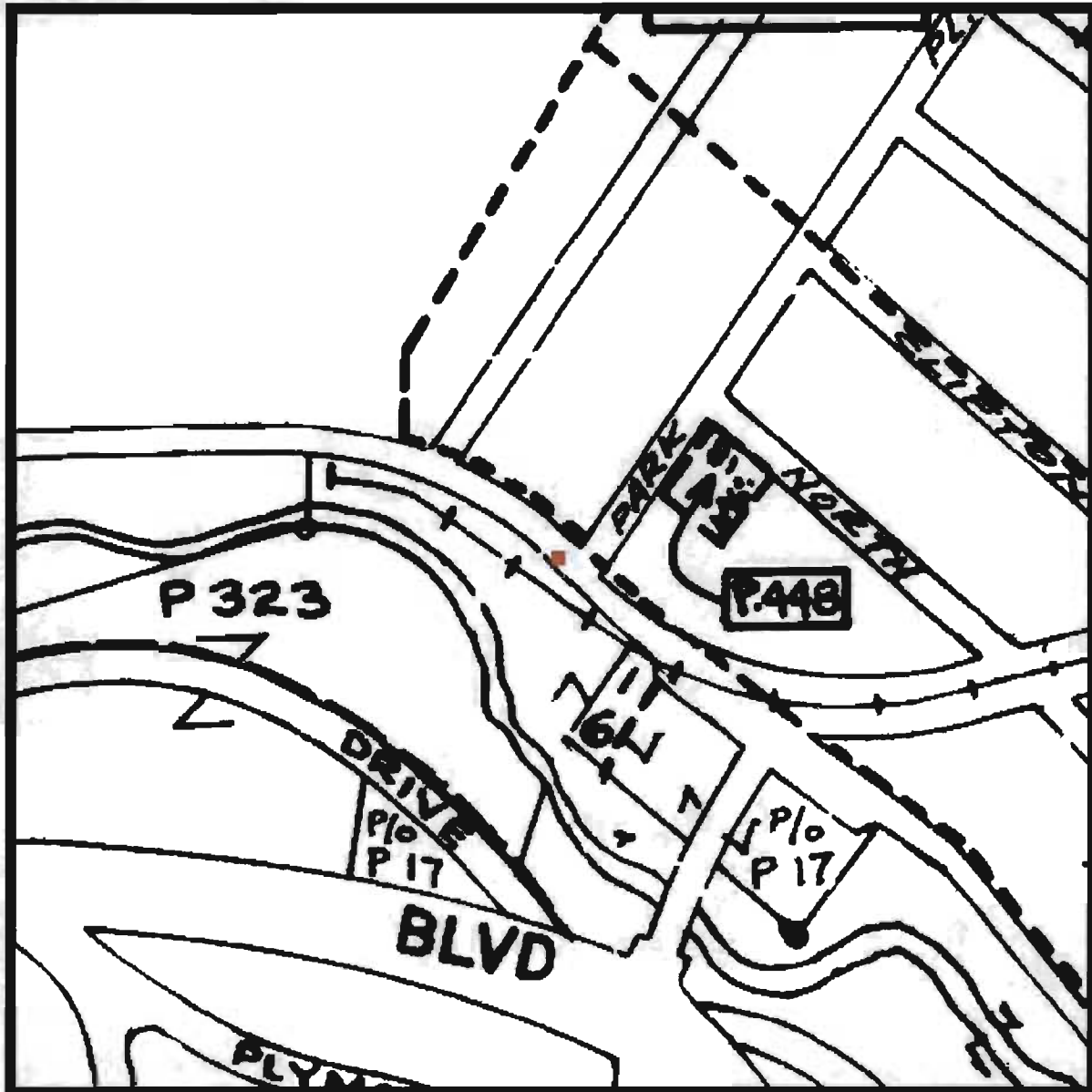
± 220



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District - 01 Account Number - 0119000036



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at www.mdp.state.md.us/webcom/index.html

Case No.: 08-220-A 5600 Dogwood Rd

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Photo's existing Conditions	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

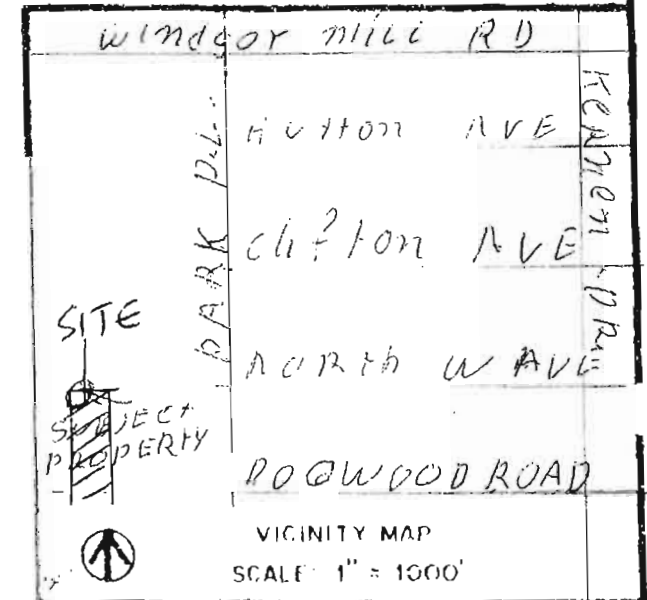
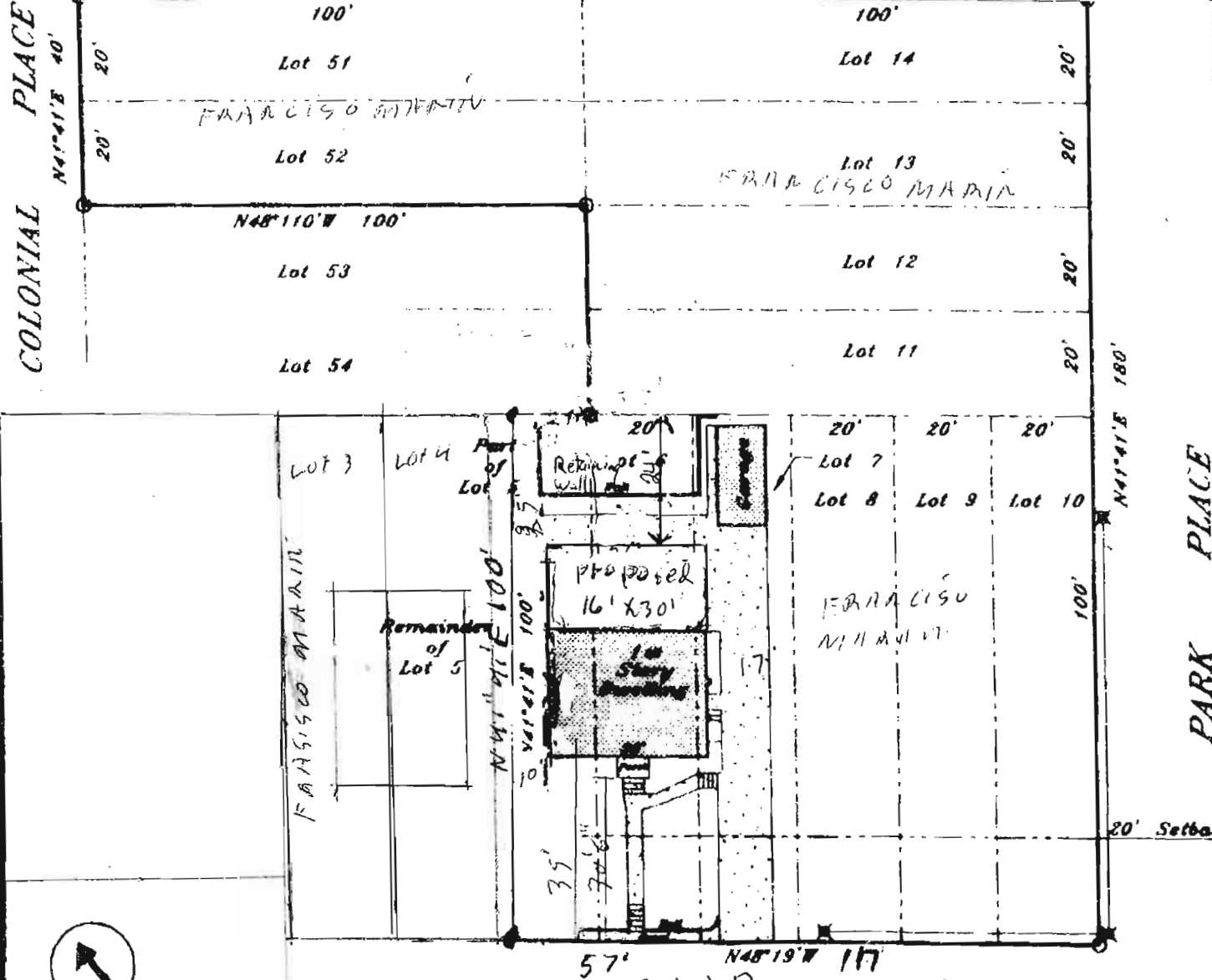
PROPERTY ADDRESS 5600 DOGWOOD RD.

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

SUBDIVISION NAME WINDSOR MILL PLACE

PLAT BOOK # 6 FOLIO # LOT # 5, 6, 7 SECTION #

OWNER Francisco Maria Marin



LOCATION INFORMATION

ELECTION DISTRICT	1	
COUNCILMANIC DISTRICT	4	
1" = 200' SCALE MAP #	095131	
ZONING	DR-S-5	
LOT SIZE	0.12-75	5700.00
	ACREAGE	SQUARE FEET
SEWER	☒ PUBLIC	☐ PRIVATE
WATER	☒ PUBLIC	☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA	☐ YES	☒ NO
100 YEAR FLOOD PLAIN	☐ YES	☒ NO
HISTORIC PROPERTY/BUILDING	☐ YES	☒ NO
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

BU #250 08-220-A

PETITIONER'S
EXHIBIT NO. 1



NORTH

PREPARED BY FRANCISCO MARIN

SCALE OF DRAWING 1"=30'

