

IN RE: PETITION FOR VARIANCE

NW corner of intersection of West Golf
Course Road and Chittenden Lane
3rd Election District
2nd Councilmanic District
(3130 Golf Course Road West)

Annamarie Van Der Meer
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2008-0511-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Annamarie Van Der Meer. Petitioner is requesting variance relief from Section 1A04.3.B.2.c of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 75 foot setback from the zoning line in lieu of the minimum 150 feet, and to amend the site plan approved in Case No. 08-188-SPH. The subject property and the 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 variance request was Petitioner Annamarie Van Der Meer and her husband, Suitbertus Van Der Meer. Also appearing in support of the requested relief was Bruce Doak with Gerhold Cross & Etzel, Ltd., the licensed property line surveyor who prepared the site plan. There were also several interested parties in attendance that were opposed to the requested relief. These included Thornly and Barbara Hart of 3126 Golf Course Road West and 3120 Golf Course Road LLC. These parties were represented by Timothy D.A. Chriss, Esquire. Also in attendance opposed to the relief were Karen Ruppert of 3116 Golf Course Road, Timothy M. Rodgers of 1701 Green Spring Valley Road, Alexander B. Martin of 302 Golf Course Road, and Ann Carter Stonesifer of 3107 Golf Course Road West.

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Testimony and evidence offered revealed that the subject property is a rectangular-shaped property consisting of two contiguous parcels. The parcels have been lots of record since at least February 18, 1953. The parcel located at the northwest area of the property is known as Parcel 91 and consists of approximately 1.674 acres. The parcel located to the southeast of the property is known as Parcel 345 and consists of approximately 1.793 acres. The property is zoned R.C.5 and is situated at the intersection of Golf Course Road West and Chittenden Lane in the Greenspring area of Baltimore County. Parcel 91 is improved with Petitioner's existing single family dwelling and existing well. Parcel 345 is heavily wooded and unimproved, but for the existing septic reserve area for the existing dwelling that is located at the southern end of this parcel.

As explained by Mr. Doak, originally, Petitioner came before this Commission in late 2007 in Case No. 08-188-SPH seeking to reconfigure certain lot lines of the two existing contiguous parcels. Looking to the future, the goal of Mr. and Mrs. Van Der Meer was to legitimize the potential use of Parcel 345 as a buildable lot, though they had no immediate plans to actually build on the lot. They also desired to configure the lot lines so that the existing septic reserve area for their home would be located within the same property. In his Order dated January 14, 2008, which was marked and accepted into evidence as Petitioner's Exhibit 2, Zoning Commissioner William J. Wiseman, III granted the special hearing request to revise the property lines between Parcels 91 and 345. Commissioner Wiseman found that the improved parcel would now be enlarged to 1.92 acres and the presently unimproved parcel would be reduced to 1.54 acres. He also found that access to Petitioner's home and that of the neighboring property owner, Mr. and Mrs. Hart, was presently by way of a private driveway easement that bisected Parcel 345. That 20-foot right-of-way easement would be realigned and traverse along the northern boundary rather than through the unimproved parcel as currently configured.

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Commissioner Wiseman also noted that Ms. Van Der Meer testified at hearing that she had absolutely no current intention of developing the unimproved parcel following the proposed revision of the property lines. In particular, the Van Der Meer's indicated they currently enjoy the scenic view of the golf course and the proposed realignment would still preserve their present day views of the golf course. Commissioner Wiseman also noted that any future building on the unimproved parcel under Petitioner's plan would by necessity have to be located on the northern portion of the unimproved lot as opposed to its southern portion which is behind Petitioner's home at 3130 Golf Course Road. Finally, he noted that the revised property lines would not affect density beyond that otherwise allowed by the B.C.Z.R. and Petitioner would not acquire any rights of subdivision.

Following the granting of the aforementioned relief, Mr. Doak indicated he came to realize that the property adjacent to Petitioner's property, across Chittenden Lane, was zoned R.C.2. Significantly, because the zoning of the adjacent property is R.C.2, the building setback requirements are very specific. Section 1A04.3.B.2.c of the B.C.Z.R. requires that any principal building constructed in an R.C.5 Zone that is contiguous to an R.C.2 or R.C.7 Zone shall be situated at least 150 feet from the zone line. As shown on the site plan that accompanied the prior zoning case, which was marked and accepted into evidence as Petitioner's Exhibit 3, the minimum building setback line to Chittenden Lane is noted as 75 feet; however, the building setback line is required to be at least 150 feet. Hence, realizing he should have filed it with the original case, Mr. Doak filed the instant variance request on behalf of the Van Der Meer's.

In support of the variance request, Mr. Doak noted the unusual characteristics of the property. He indicated the parcels were created as lots of record in 1953, long before the R.C.5 and R.C.2 Zones were created. He also indicated that Petitioner's present building setback

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dilemma is unique unto itself because it was created by the abutting of an R.C.5 Zone with an R.C.2 Zone. The R.C.5 zoning classification was established in order to provide for rural-residential development in suitable areas. The R.C.2 zoning classification was established in order to foster conditions favorable to a continued agricultural use of productive agricultural areas of Baltimore County. Mr. Doak notes that the R.C.2 zoning present in this location is unusual because there are no agricultural uses in the vicinity. There is a nearby golf course and country club, as well as residential single-family dwellings in the area zoned R.C.2. Finally, Mr. Doak indicated that the property would meet all other area and setback requirements, and that denial of the requested relief would prevent Petitioner from potentially utilizing a permitted density right on the property, which is due to constraints that were placed on the property by the imposition of the R.C.5 and R.C.2 regulations.

Mr. Chriss presented the case in opposition to the requested relief on behalf of Mr. and Mrs. Hart and 3120 Golf Course Road LLC. In arguing against the relief, Mr. Chriss indicated that Petitioner's request did not meet the standard set forth in Section 307.1 of the B.C.Z.R. Petitioner had not demonstrated the property was unique and that this uniqueness drove the need for the relief. He also indicated his belief that Petitioner's variance request to legitimize the unimproved parcel as a potentially buildable lot is contrary to the statements made by Petitioners at the prior zoning hearing, where the Van Der Meer's indicated they had no plans to build on the unimproved parcel. Finally, Mr. Chriss indicated that the instant variance request is necessary because of changes in the lot lines made by the Van Der Meer's themselves, hence they created this condition.

In addition, other neighbors testified that granting the variance request, and thus establishing the unimproved parcel as a buildable lot, would potentially have a domino effect in

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the area, and would set a precedent for other similar variances to be granted in the future for other property owners who may wish to utilize an available density right on their property. The Undersigned also received a letter dated June 27, 2008 from Donald and Melanie Heacock of 3132 Golf Course Road West, which was marked and accepted into evidence as Protestant's Exhibit 1. This letter expressed opposition to the requested variance and indicated that the setback provisions of the B.C.Z.R. protect the use, enjoyment, and value of properties.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated May 20, 2008 which indicates that the Office has never received the information requested in comments provided in conjunction with the prior zoning hearing on this site, Case No. 08-188-SPH, a special hearing to revise lot lines between two existing lots of record. The instant case is a variance to allow a 75 foot setback from a zone line in lieu of the required 150 feet. The additional information that is needed is required in order for the Office to make a finding to the Zoning Commissioner that the proposal is in conjunction with the RC 5 performance standards as per Section 1A04.4 of the B.C.Z.R. The construction should comply with the current R.C.5 requirements. In order to make this determination, the Office of Planning will require the submission of additional information, which will be expounded on further in this Order. Comments were also received from the Department of Environmental Protection and Resource Management dated June 4, 2008 which indicates that the property must comply with the Forest Conservation Regulations. Soil evaluations must be conducted for 3130 Golf Course Road and the vacant parcel.

Considering all of the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I believe the property that makes up the two parcels is unique because the parcels were

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created in 1953, prior to the creation of the R.C. Zones. I also believe the presence of the R.C.2 Zone immediately abutting the subject property to be an anomaly and not typical for this specific location because of the lack of agricultural uses present. It is also the imposition of the R.C.2 Zone abutting the subject property that drives the need for the variance. Thus, the imposition of zoning, which requires a minimum setback of 150 feet in lieu of the typical 75 feet from the center line of any street or road, or 50 feet from any lot line other than a street line, disproportionately impacts the subject property as compared to others in the zoning district.

I further find that this variance can be granted in strict harmony with the spirit and intent of the zoning regulations without having any negative effect on 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, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 11th day of August, 2008 by this Deputy Zoning Commissioner, that Petitioner's variance request from Section 1A04.3.B.2.c of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 75 foot setback from the zoning line in lieu of the minimum 150 feet, and to amend the site plan approved in Case No. 08-188-SPH is hereby GRANTED subject to the following:

1. Petitioner is advised that she may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Prior to obtaining a building permit, Petitioner shall submit the following information to the Office of Planning for their determination that the proposed structure meets the RC 5 Performance Standards:
 - a. Submit photographs of existing adjacent dwellings to the Office of Planning.

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- b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval. 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) use 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.
 - c. 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.
 - d. 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.
 - e. Provide landscaping along the public road, if it is consistent with the existing streetscape.
3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
4. Soil evaluations must be conducted for 3130 Golf Course Road and the vacant parcel.

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

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8-11-08
By _____



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3130 GOLF COURSE ROAD WEST
which is presently zoned RC-5

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

SEE ATTACHED

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

SEE ATTACHED

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 bound 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:

Annamaria Vander Meer
Name - Type or Print
Annamaria Vander Meer
Signature
3130 Golf Course Rd West 410 902-6469
Address Telephone No.
DWINGS MILLS MD 21117
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

ANNAMARIE VAN DER MEER
Name - Type or Print
Annamaria Vander Meer
Signature

Name - Type or Print

Signature

Address Telephone No.
3130 Golf Course Rd West 410 902-6469
City DWINGS MILLS State MD Zip Code 21117

Representative to be Contacted:

Gerhold, Cross & Etzel, Ltd.
Name
320 E. Towsontown Blvd #100 410 823-4470
Address Telephone No.
Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By CM Date 4-27-08

Case No. 2008-001 REQUESTED FOR FILING

REV 9/15/93

81108

3130 GOLF COURSE ROAD WEST

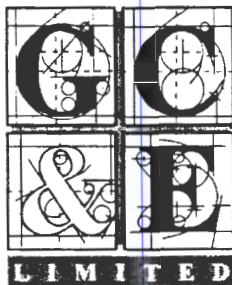
VARIANCES REQUESTED

BALTIMORE COUNTY ZONING REGULATIONS:

SECTION 1A04.3.B.2.c.

*TO ALLOW 75' SETBACK FROM THE ZONING LINE IN LIEU OF THE
MAXIMUM 150'*

*AND TO AMEND THE SITE PLAN APPROVED IN
CASE NO. 08-188-SPH*



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

April 24, 2008

ZONING DESCRIPTION

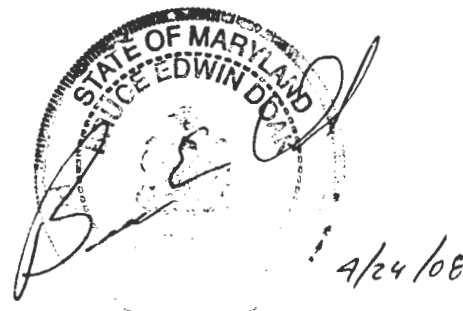
**Annamarie van der Meer property
3130 West Golf Course Road
Parcel #91 (a.k.a. Parcel #2)
Baltimore County, Maryland**

All that piece or parcel of land situate, lying and being in the Third Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point on the intersection between Golf Course Road and West Golf Course Road being north-westerly 1440 feet $\pm$ from Golf Course Road along the centerline of West Golf Course Road thence living the West Golf Course Road in south-westerly direction along the west side of Chittenden Lane running thence South 40 degrees 53 minutes 58 seconds West 328.12 feet, North 51 degrees 13 minutes 00 seconds West 240.00 feet, and running thence:

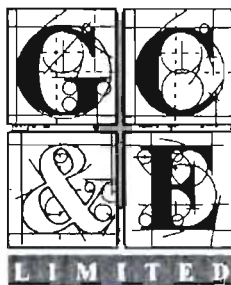
- 1) North 51 degrees 13 minutes 00 seconds West 224.84 feet,
- 2) North 46 degrees 06 minutes 40 seconds East 328.36 feet,
- 3) South 51 degrees 13 minutes 00 seconds East 222.95 feet
- 4) South 45 degrees 47 minutes 00 seconds West 328.12 feet, to the point of beginning.

Containing 1.674 Acres of land, more or less.



Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

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Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

April 24, 2008

ZONING DESCRIPTION

**Annamarie van der Meer property
West Golf Course Road
Parcel #345 (a.k.a. Parcel #1)
Baltimore County, Maryland**

All that piece or parcel of land situate, lying and being in the Third Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point on the intersection between Golf Course Road and West Golf Course Road being north-westerly 1440 feet $\pm$ from Golf Course Road along the centerline of West Golf Course Road and running thence,

- 1) South 40 degrees 53 minutes 58 seconds West 328.12 feet,
- 2) North 51 degrees 13 minutes 00 seconds West 240.00 feet,
- 3) North 45 degrees 47 minutes 00 seconds East 328.12 feet,
- 4) South 51 degrees 13 minutes 00 seconds East 240.00 feet, to the point of beginning.

Containing 1.7944 Acres of land, more or less.



Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

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**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: 2008-0511-A
Petitioner: ANNA MARIE VAN DER MEER
Address or Location: 3130 GOLF COURSE RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: GERHOLD, CROSS & ETZEL LTD
Address: 320 E. TOWSONTOWN BLVD #100
TOWSON MD 21286
Telephone Number: 410-823-4470

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **14049**

Date: **4-29-08**

PAID RECEIPT

BUSINESS ACTUAL TIME DWM
 4/29/2008 4/29/2008 14:20:57 1
 REG 001 WALKIN JRIC JMR
 >>RECEIPT # 372625 4/29/2008 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 014049
 Recpt Tot \$115.00
 \$115.00 CR 4.00 CA
 Baltimore County, Md, land

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001		006		6150				115.00

Total: **115.00**

Rec
 From:

For: **Virginia 2120 1st Cr 10**

2008-051

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

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: # 2008-0511-A

3130 Golf Course Road, West
N/west corner of the intersection of West Golf Course Road and Chittenden Lane
3rd Election District

2nd Councilmanic District

Legal Owner(s): Annamarie Van Der Meer

Variance: to allow 75-foot setback from the zoning line in lieu of the maximum 150 feet and to amend the site plan approved in case no. 08-188-SPH.

Hearing: Wednesday, July 2, 2008 at 10:00 a.m. in Room 102, Jefferson Building, 105 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) 887-4386.

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

JT 6/683 June 17 176090

CERTIFICATE OF PUBLICATION

6/19, 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 6/17, 2008.

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

S. Wilkinson

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

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Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 2008-0511-A
PETITIONER/DEVELOPER:
Annamarie Van Der Meer
DATE OF HEARING: July 2, 2008 3pm

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:
3130 Golf Course Road West

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: 6/24/08

ZONING NOTICE

CASE # :2008-0511-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER

ZONING NOTICE

CASE # :2008-0511-A

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

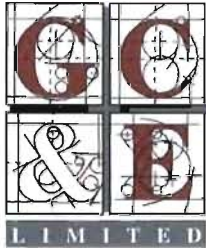
PLACE: Room 102 Jefferson Building

TIME & 105 W. Chesapeake Avenue, Towson, MD

DATE : 3:00 pm Wednesday July 2, 2008

Variance: to allow a 75 foot setback from the zoning line
in lieu of the maximum 150 feet and to amend the site
plan approved in case no. 08-188-SPH.





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Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 2008-0511-A
PETITIONER/DEVELOPER:
Annamarie Van Der Meer
DATE OF HEARING: July 2, 2008

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:
3130 Golf Course Road, West

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: 6/13/08

ZONING NOTICE

CASE # :2008-0511-

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

PLACE: Room 102 Jefferson Building

TIME & 105 W. Chesapeake Avenue, Towson, MD

DATE : 10:00 am Wednesday July 2, 2008

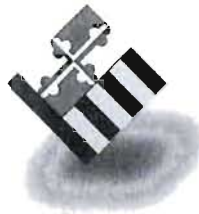
Variance: to allow a 75 foot setback from the zoning line
in lieu of the maximum 150 feet and to amend the site
plan approved in case no. 08-188-SPH.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING

CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

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

HEARINGS ARE HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

May 30, 2008
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2008-0511-A

3130 Golf Course Road, West

N/west corner of the intersection of West Golf Course Road and Chittenden Lane

3rd Election District – 2nd Councilmanic District

Legal Owners: Annamarie Van Der Meer

Variance to allow 75-foot setback from the zoning line in lieu of the maximum 150 feet and to amend the site plan approved in case no. 08-188-SPH.

Hearing: Wednesday, July 2, 2008 at 10:00 a.m. in Room 102, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy M. Kotroco.
Timothy M. Kotroco
Director

TK:klm

C: Annamarie Van Der Meer, 3130 Golf Course Road West, Owings Mills 21117
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Ste. 100, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 17, 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
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

June 24, 2008

Annamarie Van Der Meer
3130 Golf Course Road West
Owings Mills, MD 21117

Dear: Annamarie Van Der Meer

RE: Case Number 2008-0511-A, Address: 3130 Golf Course Road West

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 29, 2008. 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:lnw

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel, Ltd., 320.E Towsontown Blvd. #100, Towson, MD 21286

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 9, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For May 12, 2008
Item Nos. 08-504, 506, 507, 508, 509,
511, 512, 513, 515, 516, 517, and 519

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

DAK:CEN:lrk
ZAC-04092008-NO COMMENTS
cc: File



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

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

Maryland Department of Transportation

Date: May 5, 2008

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

RE: Baltimore County
Item No. 8-511-A
3130 GOLF COURSE ROAD WEST
VAN DER VEER 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. 8-511-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 black ink that reads "Michael Bailey". The signature is written in a cursive, flowing style.

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

TB 7/2
3cm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
JUN 04 2008

BY: _____

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *twl*

DATE: June 4, 2008

SUBJECT: Zoning Item # 08-511-A
Address 3130 Golf Course Road West
(Van Der Meer Property)

Zoning Advisory Committee Meeting of May 5, 2008

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Soil evaluations must be conducted for 3130 Golf Course Road and the vacant parcel. *S. Farinetti; Ground Water Management*

Reviewer: Glenn Shaffer

Date: May 21, 2008

TB 7/2
35m

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 20, 2008

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

RECEIVED
MAY 28 2008

SUBJECT: 3130 Golf Course Road West

BY:.....

INFORMATION:

Item Number: 08-511
Petitioner: Anna Marie Van Der Meer
Zoning: RC 5
Requested Action: Variance

The Office of Planning has never received the information requested in comments provided in conjunction with the prior zoning hearing on this site, 08-188sph, a special hearing to revise lot lines between two existing lots of record. The instant case is a variance to allow a 75 foot setback from a zone line in lieu of required 150 feet.

The additional information that is need is required in order for the office to make a finding to the Zoning Commissioner that the proposal is in compliance with the RC5 performance standards as per Section 1A04.4 of the BCZR.

SUMMARY OF RECOMMENDATIONS:

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.

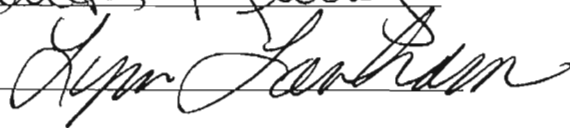
For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared By:

Handwritten signature of Craig H. Murray in cursive script.

Division Chief:

AFK:LL:CM

Handwritten signature of the Division Chief in cursive script.

RE: PETITION FOR VARANCE * BEFORE THE
3130 Golf Course Road W; NW corner West *
Golf Course Road & Chittenden Lane * ZONING COMMISSIONER
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): Annamarie Van Der Meer * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 08-511-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.

RECEIVED

MAY 14 2008

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 2008, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 2008-0511-A
CASE NUMBER VANDERMEED
DATE 7/2/08 PROPERTY PROPERTY

[illegible]

CASE NAME _____
CASE NUMBER 2008-0511-A
DATE 7-7-08

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Thornley A. Hart	3126 GOLF COURSE RD West	Owings Mills 21117	THORNLEY.A.HART@SMITHBARNES.com
K. B. Hart	"	"	hcartbi@aol.com
Kevin Ruppert	3116 Golf Course Rd	"	KTRuppert@aol.com
Timothy M. Rodgers	1701 GREEN SPRING VALLEY	STEVENSON MD 21153	Tim.Rodgers@MLIS.com
Adrian B. Martin	302 Golf Course Rd	Owings Mills, Md. 21117	ABMARTIN1@AOL.COM
MOTHE D. A. CHRIS	233 E Redwood St	Balto MD 21202	cmr Tchrisseygfr@aol.com

TIMOTHY D.A. CHRISS

GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER, LLC
ATTORNEYS AT LAW
THE GARRETT BUILDING, 211 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202
(410) 576-4000

DIRECT (410) 576-4000
FAX (410) 576-4001
tchris@gtflaw.com

DIRECT (410) 576-4237
FAX (410) 576-4246
tchris8@gttlaw.com

Case No.: 2008-0511-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	6-27-08 letter from Mr. + Mrs. Heacock
No. 2	previous order 08-188-SPH	
No. 3	site plan of previous case	
No. 4	photographs	
No. 5	site plan to accompany photographs	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

TB
7-2-08

Donald R. Heacock
Melanie M. Heacock

June 27, 2008

**VIA FACSIMILE (410-887-3048) AND
FIRST-CLASS MAIL**

Zoning Commissioner for Baltimore County
Room 102
Jefferson Building
105 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
JUL 01 2008

BY:

Re: Case No.: 2008-0511-A/3130 Golf Course Road,
West

Dear Sir:

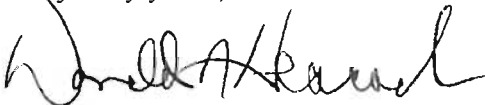
We are the owners of the property at 3132 Golf Course Road located adjacent to the above-referenced property for which variance is being requested to allow a 75 foot set back from the zoning line in lieu of the required 150 foot set back.

As adjacent property owners, we believe that the required set back provisions of the Baltimore County Zoning regulations protect the use, enjoyment and value of our property and should not be compromised.

We respectfully oppose the granting of the requested variance and urge that it be denied.

Thank you for your consideration.

Very truly yours,



Donald R. Heacock



Melanie M. Heacock

3132 Golf Course Road West – Owings Mills, MD 21117 – 410-356-2436
donaldheacock@hotmail.com, melanieheacock@gmail.com

PROTESTANT' S

EXHIBIT NO. 1

previous order

IN RE: **PETITION FOR SPECIAL HEARING**

NW Corner W Golf Course Road and
Chittenden Lane
(3130 Golf Course Road W)
3rd Election District
2nd Council District

Annamarie van der Meer
Revocable Living Trust

Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY

*

*

Case No. 08-188-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Annamarie van der Meer. The Petitioner requests a special hearing to revise the property lines between two (2) existing recorded lots. Stated differently, the Petitioner, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), has requested approval to reconfigure certain lot lines of two (2) existing contiguous parcels/lots of record as defined in Section 101 thereof. The subject property and requested relief are more particularly described on the site plan submitted which shows final conditions and was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Annamarie van der Meer, property owner, and her husband, Suitbertus M. L. van der Meer, and Bruce E. Doak, a property line surveyor and expert in zoning matters with Gerhold, Cross & Etzel, Ltd., the engineering firm that prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence presented indicated that the subject property is comprised of two (2) separate contiguous lots of record since 1953 that are located on the property known as the Green Spring Valley Country Club in Owings Mills. The properties are zoned R.C.5 and are

PETITIONER' S

EXHIBIT NO. 2

rectangularly shaped situated at the intersection of West Golf Course Road and Chittenden Lane. Parcel 91 contains 1.674 acres and is improved with the van der Meer's 4,700+ square foot family home that is served by well and septic. Parcel 345 is heavily wooded, unimproved and contains 1.7944 acres¹. As noted above, the Petitioner owns both lots and proposes a reconfiguration of the parcels to legitimize the potential use of Parcel 345. Ms. van der Meer testified and placed on the record before me that she has absolutely no current intention of developing the unimproved parcel following the proposed revision of the property lines. The van der Meer's currently enjoy and have for many years the scenic view of the golf course and its attendant sixth fairway. This view is to the east of their home and across the now vacant Parcel 345. The proposed realignment, while removing any issue of zoning merger brought about by the septic reserve area, will more importantly preserve their present day views of the golf course. In other words, any future building on the unimproved parcel under this plan would by necessity have to be located on the northern portion of the unimproved lot as opposed to its southern portion which is behind their home at 3130 Golf Course Road.

After due consideration of the evidence presented, I am persuaded to grant approval of the proposed revised property lines. The improved parcel will increase in size to 1.92 acres, thereby reducing the unimproved parcel to 1.54 acres. The new parcels will both have ample area and setbacks. Access to the Petitioner's home and that of the neighboring property owner, Thornley and Barbara Hart, is by way of a private driveway easement that currently bisects Parcel 345. That 20-foot right-of-way easement will be realigned and will traverse along the northern boundary rather than through the unimproved parcel as currently configured. The revised property lines do not affect density beyond that otherwise allowed by the B.C.Z.R. and

¹ As illustrated on the site plan, a portion of the septic reserve area serving the family home encroaches into the southwest corner of Parcel 345.

the Petitioner will not acquire any rights of subdivision. In my judgment, the lot line adjustment will not be detrimental to the health, safety or general welfare of the locale and is entirely consistent with the R.C.5 zoning use of the subject and adjacent properties. The van der Meer's have discussed this proposal with the entire community and none of the neighbors oppose their request. Prior to the hearing, a Zoning Advisory Committee (ZAC) comment was received from the Office of Planning which discussed the Performance Standards of B.C.Z.R. Section 1A04.4 inherent in the R.C.5 zone. As discussed above, the Petitioner has no intent to develop the property at this time. I will, however, condition my approval to provide compliance with the required standards if and when any new construction takes place. The issues raised in the Petition are pursuant to the authority granted in Section 500.7 of the B.C.Z.R. Thus, my decision in this matter is based on the zoning of the subject property, the proposed dimensions for each lot and other zoning defined issues. I find that the relief being requested does not rise to a minor subdivision of the property but rather a lot line adjustment. I wish to point out, however, that I do not have the authority, nor will this decision attempt, to determine issues of processing limited exemptions. These regulations have been relegated by the County Council to the Development Review Committee. *See Long Meadow Association, Inc. et al v. Druid Ridge, LLP et al.* Court of Special Appeals No. 1801 (2005) and County Council Bill 54-05.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. Indeed, it appears that the reconfiguration of the lot lines is consistent with the R.C.5 zoning and will be beneficial to the Petitioner and her successors and assigns.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County
this 14th day of January 2008 that the Petition for Special Hearing seeking to revise the
property lines between two existing recorded lots, in accordance with Petitioner's Exhibit 1, be
and is hereby GRANTED, subject to the following restriction:

1. Architectural elevation drawings must be submitted to the Office of Planning for review and approval in accordance with the Performance Standards of B.C.Z.R. Section 1A04.4 prior to the issuance of a building permit.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within
thirty (30) days of the date hereof.

WJW:dlw

151
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

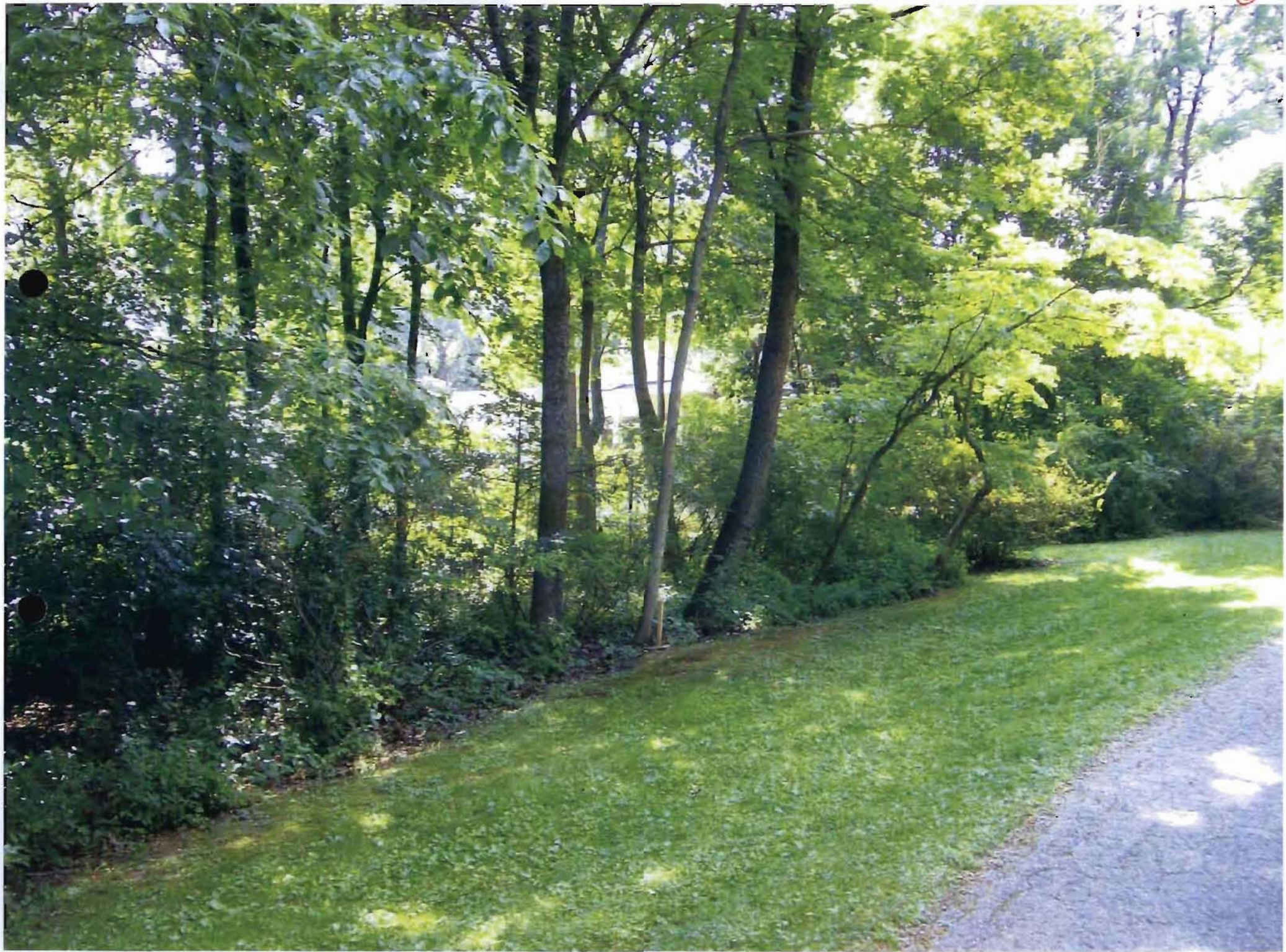


PETITIONER'S

EXHIBIT NO. *PHOTOS*
4A-4M











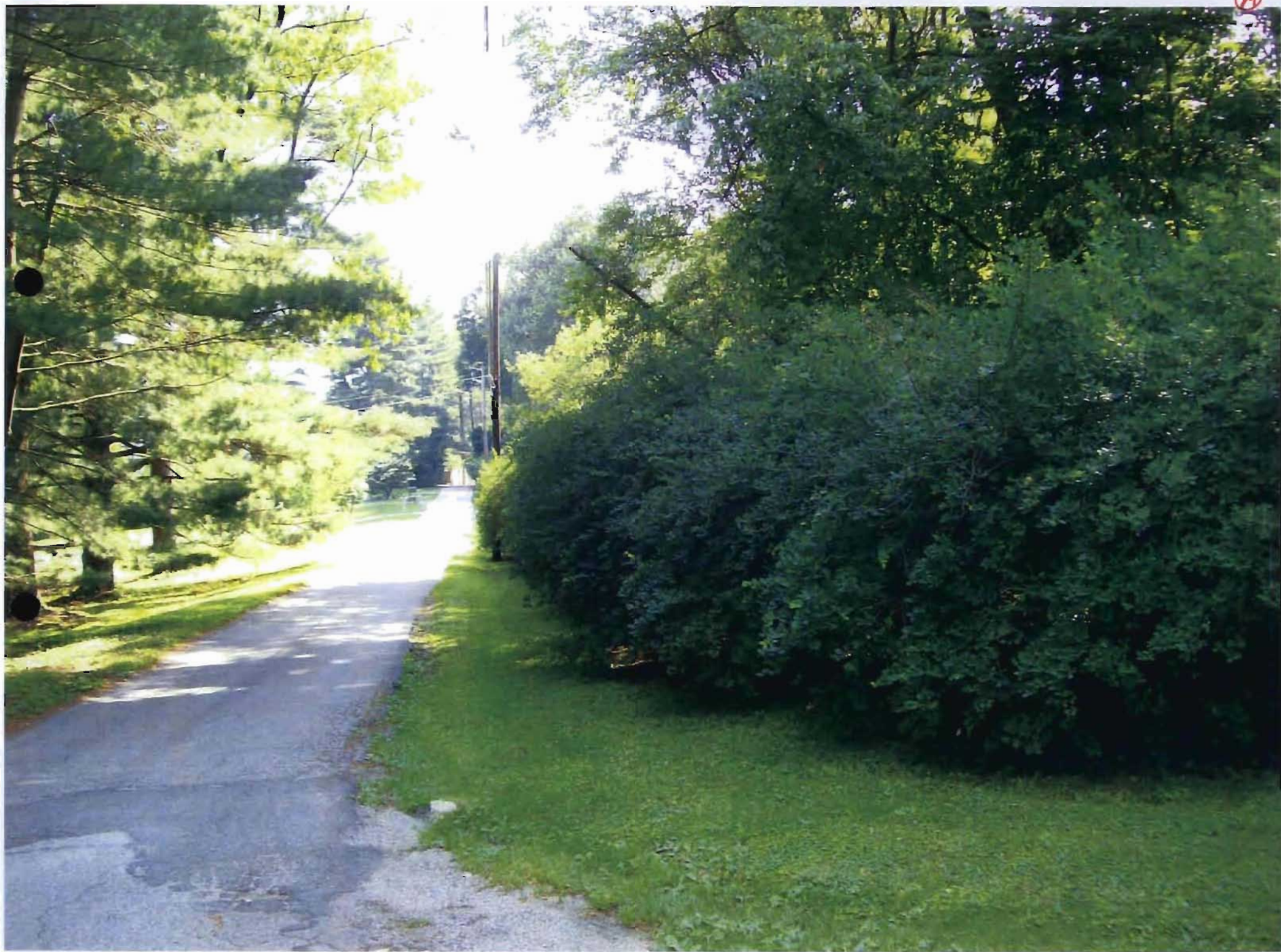
















ZONING MAP

GIS TILE: 67C1

SCALE: 1" = 200'

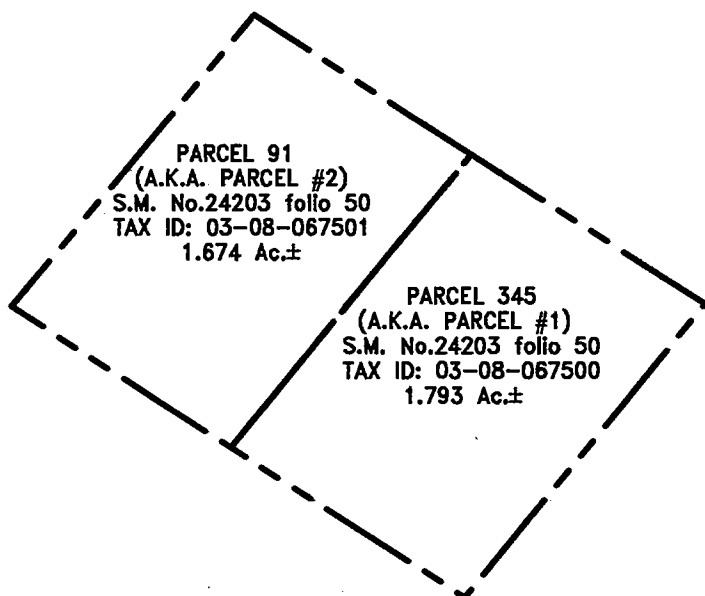
R.C. 5 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET
(NOT COLLECTOR ROAD OR
LEADING TO COLLECTOR ROAD)

75'

FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE

50'



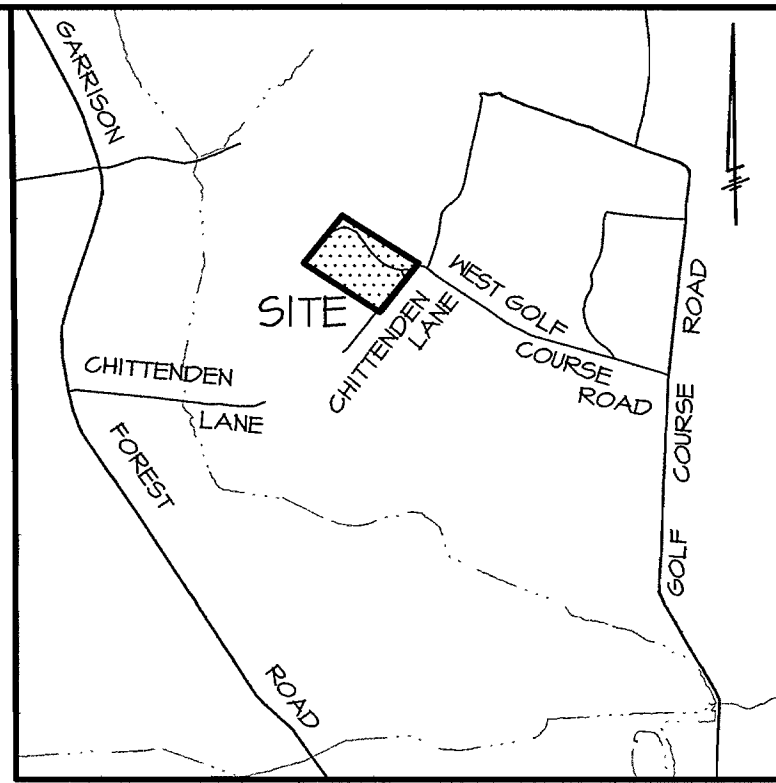
DEVOLUTION OF TITLE
NOT TO SCALE

PROPERTY AS OF FEBRUARY 10, 1953
#1=1.944 Ac.± AND #2=1.6140 Ac.±
G.L.B. No. 2244/891
ALEXANDER RUTHERFORD HOLMES &
MATHILDE CLARK HOLMES, his wife

CONVEYANCE
S.M. No. 12221 folio 442 MAY 30, 1991
#1=1.7444 Ac.± AND #2=1.6140 Ac.±
ALEXANDER RUTHERFORD HOLMES &
MATHILDE CLARK HOLMES, his wife TO
SUBERTUS M.L. van der MEER &
ANNAMARIA van der MEER

CONVEYANCE
S.M. No. 12221 folio 507 MAY 30, 1991
#1=1.7444 Ac.± AND #2=1.6140 Ac.±
SUBERTUS M.L. van der MEER &
ANNAMARIA van der MEER TO
ANNAMARIA van der MEER REVOCABLE LIVING TRUST
W/T/A DATED SEPTEMBER 1, 1994

CONVEYANCE
S.M. No. 24203 folio 50 JULY 11, 2006
#1=1.7444 Ac.± AND #2=1.6140 Ac.±
ANNAMARIA van der MEER REVOCABLE LIVING TRUST
W/T/A DATED SEPTEMBER 1, 1994 TO
ANNAMARIA van der MEER REVOCABLE LIVING TRUST
W/T/A DATED SEPTEMBER 1, 1994



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 67C1
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
4. A.D.C. MAP # GRID 25 B4
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE EITHER FROM BALTIMORE COUNTY RECORDS OR FIELD LOCATED OR FROM TESTIMONY.
11. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

VARIANCE REQUESTED

BALTIMORE COUNTY ZONING REGULATIONS:

SECTION 1A04.3B.2.c.
TO ALLOW 75' SETBACK FROM THE ZONING LINE IN LIEU OF THE MAXIMUM 150'

OWNER/DEVELOPER

ANNAMARIA VAN DER MEER
REVOCABLE LIVING TRUST
3130 WEST GOLF COURSE ROAD
OWINGS MILLS, MARYLAND 21117-4116
(410) 902-6469

Plan to Accompany Photographs

2008-0511-A

PLAN TO ACCOMPANY A

PETITION FOR A VARIANCE

AND TO AMEND THE PREVIOUS

SPECIAL HEARING No.: SPH 08-188

VAN DER MEER PROPERTY

3130 GOLF COURSE ROAD WEST
Deed Ref: S.M. No. 24203 folio 50
Tax Account No.: 03-08-067501
Zoned RC-5; G15 Tile 67C1
Tax Map 67; Grid 6; Parcel 91

Deed Ref: S.M. No. 12221 folio 507
Tax Account No.: 03-08-067500
Zoned RC-5; G15 Tile 67C1
Tax Map 67; Grid 6; Parcel 345

3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=50' Date: AUGUST 14, 2007

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S

EXHIBIT NO. 35

LEGEND

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

SOIL TYPES & LIMITATIONS

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

REVISION	DATE
Revisions per PLANNING	04/15/08
Revisions per Rob Powell	09/10/07
REVISION PER CLIENT	07/21/07

ZONING ORDER CASE No. 08-188 SPH

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of January 2008 that the Petition for Special Hearing seeking to revise the property lines between two existing recorded lots, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1. Architectural elevation drawings must be submitted to the Office of Planning for review and approval in accordance with the Performance Standards of B.C.Z.R. Section 1A04.4 prior to the issuance of a building permit.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within thirty (30) days of the date hereof.

WJW:dlw

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

RC-5 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

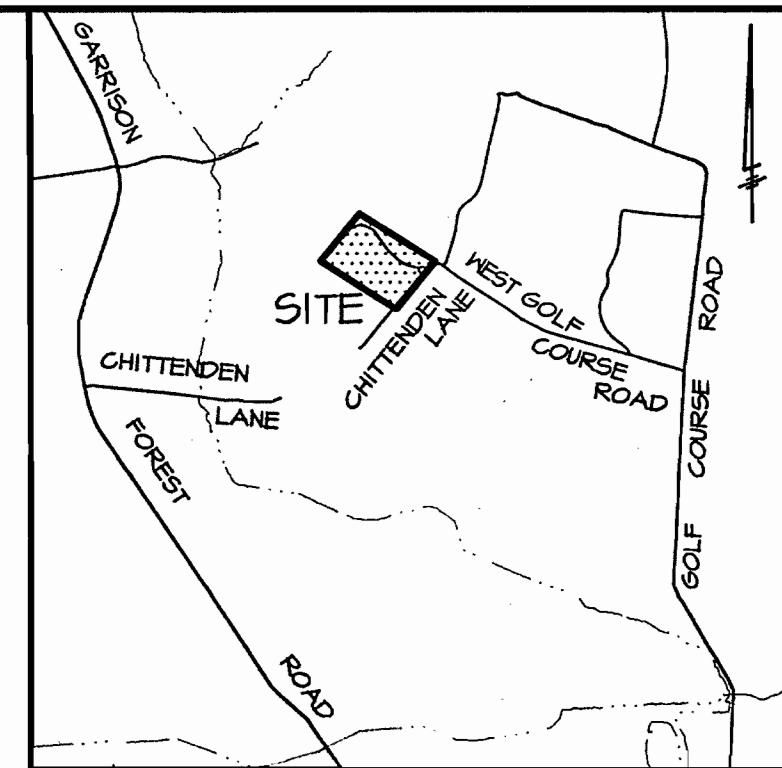
FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET
(NOT COLLECTOR ROAD OR
LEADING TO COLLECTOR ROAD)

75'

FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE

50'

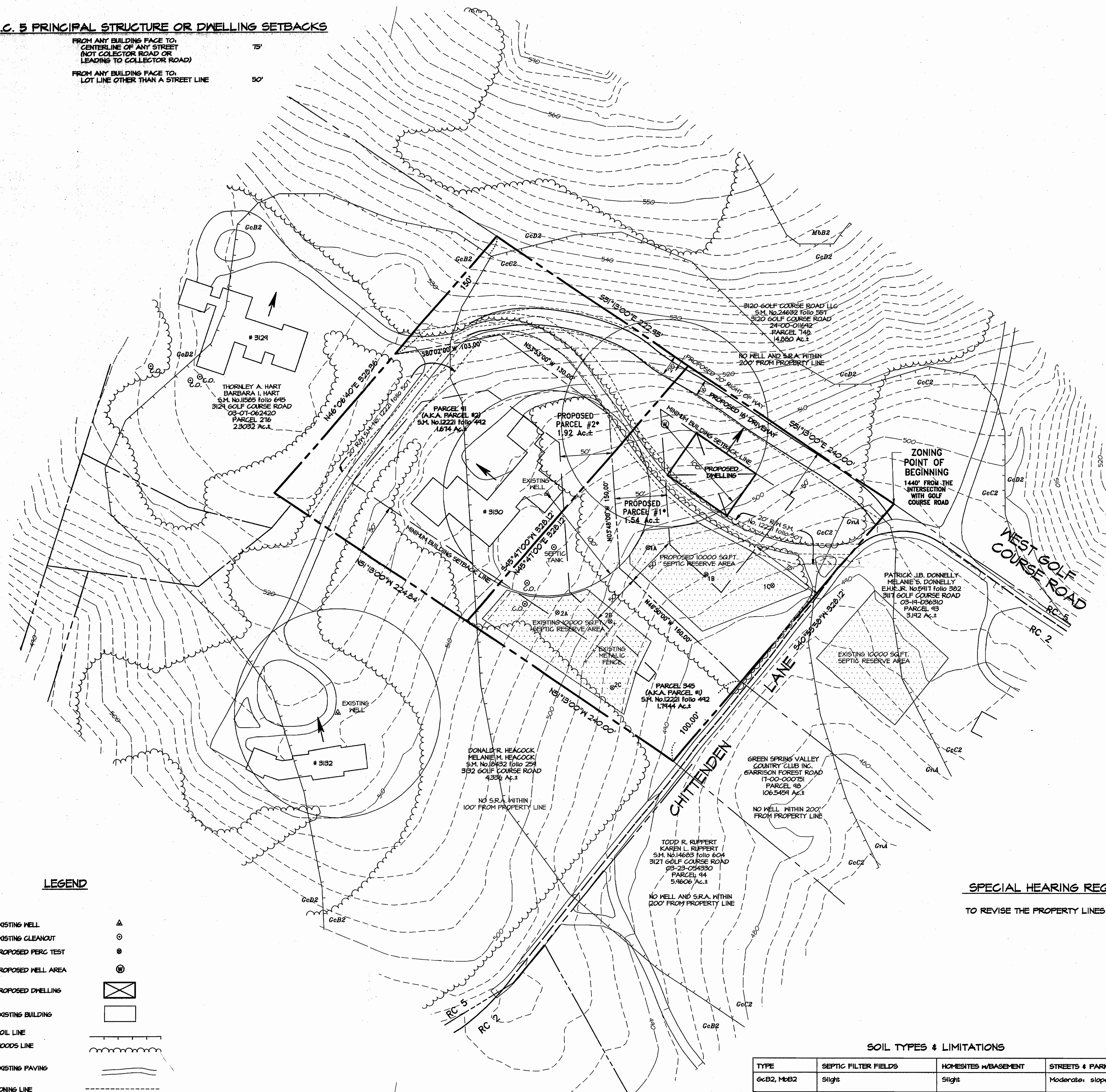
DEED MERIDIAN
(S.M. No. 12221 folio 492)



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 67C1.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SURVEY MAP No. 27.
4. A.D.C. MAP # 6R1D 25 B4
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
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11. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.



LEGEND

- EXISTING WELL: Δ
- EXISTING CLEANOUT: ○
- PROPOSED PERC TEST: ⊙
- PROPOSED WELL AREA: ⊗
- PROPOSED DWELLING: [Symbol]
- EXISTING BUILDING: [Symbol]
- SOIL LINE: [Symbol]
- WOODS LINE: [Symbol]
- EXISTING PAVING: [Symbol]
- ZONING LINE: [Symbol]
- PROPERTY LINE: [Symbol]
- CONTOURS: [Symbol]

SPECIAL HEARING REQUESTED

TO REVISE THE PROPERTY LINES BETWEEN TWO EXISTING RECORDED LOTS.

OWNER/DEVELOPER

ANNAMARIE VAN DER MEER
REVOCABLE LIVING TRUST
3130 WEST GOLF COURSE ROAD
OWINGS MILLS, MARYLAND 21117-4116
(410) 902-6469

PLAN TO ACCOMPANY A PETITION FOR SPECIAL HEARING VAN DER MEER PROPERTY

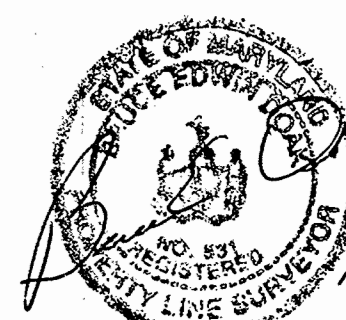
3130 GOLF COURSE ROAD WEST
Deed Ref: S.M. No. 24203 folio 50
Tax Account No.: 03-08-067501
Zoned RC-5; GIS Tile 67C1
Tax Map 67; Grid 6; Parcel 91

Deed Ref: S.M. No. 12221 folio 507
Tax Account No.: 03-08-067500
Zoned RC-5; GIS Tile 67C1
Tax Map 67; Grid 6; Parcel 345

3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=50'

Date: OCTOBER 16, 2007



GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

SOIL TYPES & LIMITATIONS

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

REVISION: DATE: COMPUTED: DRAWN: CLM. CHECKED: FILE: X:\VanD

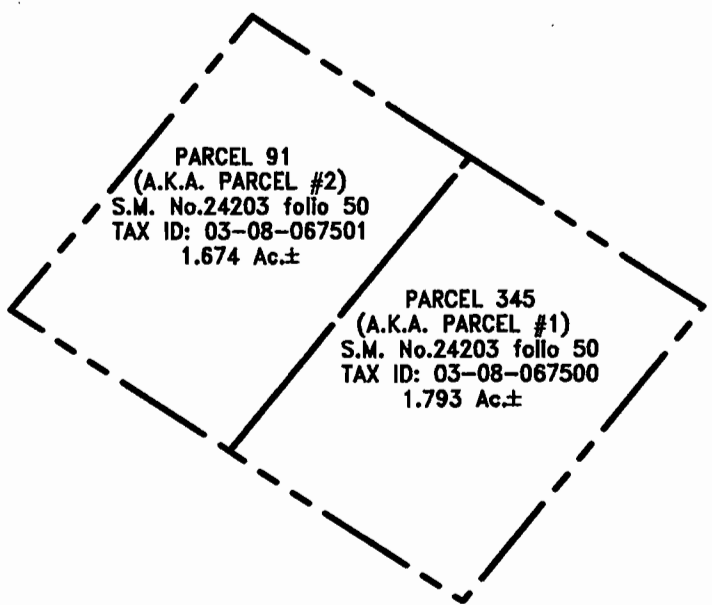
PETITIONER'S

EXHIBIT NO. 3

R.C. 5 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET
(NOT COLLECTOR ROAD OR
LEADING TO COLLECTOR ROAD) 15'

FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE 50'



DEVOLUTION OF TITLE

NOT TO SCALE

PROPERTY AS OF FEBRUARY 18, 1923
#1-1.744 Ac.± AND #2-11.6740 Ac.±
G.L.B. No. 2244/541
ALEXANDER RUTHERFORD HOLMES &
MATHILDE CLARK HOLMES, his wife

CONVEYANCE

S.M. No. 12221 folio 442 MAY 30, 1941
#1-1.744 Ac.± AND #2-11.6740 Ac.±
ALEXANDER RUTHERFORD HOLMES &
MATHILDE CLARK HOLMES, his wife TO
SUIBERTUS M.L. van der MEER &
ANNAMARIA van der MEER

CONVEYANCE

S.M. No. 12221 folio 507 MAY 30, 1941
#1-1.744 Ac.± AND #2-11.6740 Ac.±
SUIBERTUS M.L. van der MEER &
ANNAMARIA van der MEER TO
ANNAMARIA van der MEER REVOCABLE LIVING TRUST
UT/TA DATED SEPTEMBER 1, 1994

CONVEYANCE

S.M. No. 24203 folio 50 JULY 11, 2006
#1-1.744 Ac.± AND #2-11.6740 Ac.±
ANNAMARIA van der MEER REVOCABLE LIVING TRUST
UT/TA DATED SEPTEMBER 1, 1994 TO
ANNAMARIA van der MEER REVOCABLE LIVING TRUST
UT/TA DATED SEPTEMBER 1, 1994

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY
2. THE TOPOGRAPHY SHOWN HEREON HAS BEEN TAKEN FROM BALTIMORE COUNTY GIS TILE 67C1
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
4. A.D.C. MAP & GRID 25 B4
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE EITHER FROM BALTIMORE COUNTY RECORDS OR FIELD LOCATED OR FROM TESTIMONY.
11. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

VARIANCE REQUESTED

BALTIMORE COUNTY ZONING REGULATIONS:

SECTION 1A04.3.B.2.c.
TO ALLOW 15' SETBACK FROM THE ZONING LINE IN LIEU OF THE MAXIMUM 150'

OWNER/DEVELOPER

ANNAMARIA VAN DER MEER
REVOCABLE LIVING TRUST
3130 WEST GOLF COURSE ROAD
OWINGS MILLS, MARYLAND 21117-4116
(410) 902-6469

PLAN TO ACCOMPANY A
PETITION FOR A VARIANCE
AND TO AMEND THE PREVIOUS
SPECIAL HEARING No.: SPH 08-188
VAN DER MEER PROPERTY

3130 GOLF COURSE ROAD WEST
Deed Ref: S.M. No. 24203 folio 50
Tax Account No.: 03-08-067501
Zoned RC-5; GIS Tile 67C1
Tax Map 67; Grid 6; Parcel 91

Deed Ref: S.M. No. 12221 folio 507
Tax Account No.: 03-08-067500
Zoned RC-5; GIS Tile 67C1
Tax Map 67; Grid 6; Parcel 345

3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=50'

Date: AUGUST 14, 2007

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S

EXHIBIT No. 1

COMPUTED: DRAWN: G.L.M. CHECKED: FILE: X:\V\VanDerMeer_GolfCvariance.pro

LEGEND

- EXISTING WELL Δ
- EXISTING CLEANOUT ○
- PROPOSED PERC TEST ⊙
- PROPOSED WELL AREA ⊕
- PROPOSED DWELLING ⊠
- EXISTING BUILDING □
- SOIL LINE ———
- WOODS LINE ———
- EXISTING PAVING ———
- ZONING LINE - - - - -
- PROPERTY LINE ———
- CONTOURS ———

SOIL TYPES & LIMITATIONS

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

Revisions per PLANNING	04/15/08
Revisions per Rob Powell	04/10/07
REVISION PER CLIENT	07/21/07
REVISION	DATE

ZONING ORDER CASE No. 08-188 SPH

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County
this 14th day of January 2008 that the Petition for Special Hearing seeking to revise the
property lines between two existing recorded lots, in accordance with Petitioner's Exhibit 1, be
and is hereby GRANTED, subject to the following restriction:

1. Architectural elevation drawings must be submitted to the Office of Planning for review and approval in accordance with the Performance Standards of B.C.Z.R. Section 1A04.4 prior to the issuance of a building permit.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within
thirty (30) days of the date hereof.

WJW:dhw

WILLIAM L. WIREMAN, III
Zoning Commissioner
for Baltimore County

