

|                                      |   |                         |
|--------------------------------------|---|-------------------------|
| IN RE: PETITIONS FOR SPECIAL HEARING | * | BEFORE THE              |
| AND VARIANCE                         |   |                         |
| N/S Gadd Road, 1,570' W of c/line of | * | ZONING COMMISSIONER     |
| Falls Road                           |   |                         |
| (2307 Gadd Road)                     | * | OF                      |
| 8 <sup>th</sup> Election District    | * | BALTIMORE COUNTY        |
| 3 <sup>rd</sup> Council District     |   |                         |
|                                      | * |                         |
| Rustica, LLC                         |   |                         |
| Petitioner                           | * | Case No. 2010-0087-SPHA |

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Kim J. Davis, managing member of Rustica, LLC, by and through its attorney, Lawrence E. Schmidt, Esquire. The Petitioner requests a special hearing pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) Section 500.7 to permit livable space in an accessory structure (pool house). In addition, variance relief is requested from Section 400.1 of the B.C.Z.R. to permit accessory uses and structures (including an existing tenant house and proposed pool house) at a location (front and side, respectively) other than the rear yard, and finally from Section 400.3 of the B.C.Z.R. to permit these accessory uses and structures with a height greater than the maximum permitted 15 feet as follows:

- For an existing tenant house – 27 feet in lieu of the maximum permitted 15-foot limit
- For a proposed pool house with a height of 24 feet in lieu of the maximum permitted 15-foot limit.

The subject property and relief sought are more particularly described on the site plan and building elevation drawings, which were submitted into evidence and marked as Petitioner's Exhibits 1 and 3 respectively.

ORDER RECEIVED FOR FILING  
 Date 11-24-09  
 By [Signature]

Appearing at the requisite public hearing in support of the requests were Kim J. Davis, on behalf of the Petitioner, and her attorney, Lawrence E. Schmidt, Esquire. There were no Protestants or other interested persons present. Mr. and Mrs. Clark F. MacKenzie (2310 Gadd Road) and Mr. and Mrs. Mackey F. Hughes (2200 Gadd Road) who reside in close proximity to the subject property wrote letters expressing support of the proposal including the architecture and scale of the new home and out buildings being constructed. Their letters were placed into evidence collectively as Petitioner's Exhibit 5.

The subject property was once part of a larger tract owned by John D. Gadd and is now approximately 25.68 acres in area, zoned R.C.2. It is a rectangularly shaped lot with frontage on Gadd Road just north of the intersection of Shawan and Falls Road in Cockeysville. Presently, the property is improved with a tenant house oriented towards Gadd Road, existing stables and farm buildings as illustrated on the site plan (Petitioner's Exhibit 1) and photographs (Petitioner's Exhibit 4). The tenant house, one of the subjects of the petition, was built some 50 years ago. Historically, it was used by Dr. Gadd as a veterinary clinic and housed farm hands that worked on the horse farm. The Petitioner proposes constructing a substantially sized single-family dwelling on the property as more particularly shown on the site plan and elevations prepared by architect, Donald B. Ratcliffe, AIA & Associates. After construction, Kim and Jim Davis will thereafter reside in the dwelling. The Petitioner desires to retain the existing tenant house structure, which is 27 feet in height. Variance relief is necessary to legitimize both the height and the orientation of the accessory building that will be in the front yard once the principal dwelling is finished and, therefore, contrary to Section 400 of the B.C.Z.R.<sup>1</sup> Petitioner's

<sup>1</sup> Section 400 of the B.C.Z.R. pertains to accessory buildings in residential zones and mandates their location only in the rear . . . with a height limitation of 15 feet. Sections 1A01.3A and 300.1 more specifically pertain to accessory structures in the Resource Conservation Zone and specifically state that the height of farm buildings and barns are an exception to Section 400. It became obvious, at the outset of the hearing, that the accessory structures in this case, are not a barn or "other accessory agricultural building" but more correctly an accessory recreational pool house and tenant house structures. They are, therefore, subject to the provisions of Section 400.

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11-24-09

Date

By

attorney aptly points out that an accessory tenant house is not a "farm or agricultural building" as contemplated in Section 404. Clearly, this is a large lot capable of containing both the existing and proposed structures. Moreover, the proposed locations of each building appear appropriate.

The pool house to be located in the southeast corner of the property and to the greatest extent behind the new dwelling will consist of a changing room, entertainment room, bar, exercise room, game room and bathroom facilities with pool equipment and storage areas. There are no cooking facilities and no intention of turning the pool house into any sort of dwelling. The roof and exterior of the proposed building will be built to match the dwelling on the site. As the floor plan and elevation drawings (Petitioner's Exhibits 2 and 3) and photographs clearly demonstrate, both the dwelling and the pool house are very impressive structures. Ms. Davis demonstrated that the roof pitch and height at 23 feet were designed to match that of the house. The location is driven by the inability to build any further in the rear yard and in its proposed location will be positioned far from any lot lines and there will be no detrimental impact on the neighbors.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that the Petitioner has met the requisite burden imposed upon it by Section 307 of the B.C.Z.R. for variance relief to be granted and that strict compliance with the zoning regulations would be unnecessarily burdensome to the Davis's and their limited liability company. Maintaining an accessory structure is a permitted use and failure to grant the variance would deprive them of a reasonable use of their property. *See, Belvoire Farms v. North* 355 Md. 259 (1999). I find that the property is unique in size, shape and the prior location of existing structures that have been in existence prior to the Resource Conservation Zoning regulations. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and shall, therefore, be granted. The Office of Planning has



made a very positive comment on the proposed variance petitions. The request to build this structure to a height of 24 feet – in an area that has justifiably earned a reputation as being one of the finest residential sections in the metropolitan area is not in conflict with the character of the neighborhood. See, for example similar relief granted in Case Nos. 06-510-A (Thornton Mill Road), 08-225-SPHA (16809 York Road), 07-589-A (13023 Beaver Dam Road), and 08-0528-A (1718 Glencoe Road).

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 24<sup>th</sup> day of November 2009 that the Petition for Special Hearing seeking approval of living space in an accessory structure (the pool house), in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit accessory structures (existing tenant house/proposed pool house) to be located in the front yard and side yards in lieu of the required rear yard, and to permit accessory structure heights of 27 feet for the tenant house and 24 feet for the pool house in lieu of the maximum allowed 15 feet for each, in accordance with Petitioner's Exhibits 1 and 3, be and is hereby GRANTED, subject to the following restrictions:

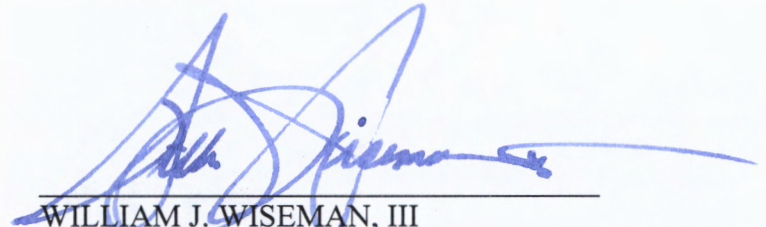
1. The Petitioner may apply for its permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. Compliance with the Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated November 3, 2009, requiring compliance with the Forest Conservation Regulations and soil evaluations at the discretion of DEPRM's

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Date 11-24-09  
By [Signature]

Ground Water Management Section to determine a septic reserve area for the pool house. A copy of this comment has been attached hereto and is made a part hereof.

3. The pool house shall be limited to uses accessory to the residential uses of the property. It shall not be used for commercial or business purposes. Moreover, as noted on the site plan (Petitioner's Exhibit 1) the Petitioner shall not allow or cause the pool house to be converted to a second dwelling unit and/or apartments. There shall be no kitchen/cooking facilities contained therein.
4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



---

WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:dlw

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Date 11-24-09  
BY DLW



**BALTIMORE COUNTY**

M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

November 24, 2009

Lawrence E. Schmidt, Esquire  
Gildea & Schmidt, LLC  
600 Washington Avenue, Ste. 200  
Towson, MD 21204

**RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE**  
N/S Gadd Road, 1,570' W of c/line of Falls Road  
**(2307 Gadd Road)**  
8<sup>th</sup> Election District - 3<sup>rd</sup> Council District  
Rustica, LLC - Petitioner  
**Case No. 2010-0087-SPHA**

Dear Mr. Schmidt:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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  
Zoning Commissioner  
for Baltimore County

WJW:dlw  
Enclosure

c: Kim J. Davis, Authorized Representative of Rustica, LLC, 2307 Gadd Road,  
Cockeysville, MD 21030  
Clark F. and Ann S. MacKenzie, 2310 Gadd Road, Cockeysville, MD 21030  
Anna and Mackey Hughes, 2200 Gadd Road, Cockeysville, MD 21030  
People's Counsel; Office of Planning; DEPRM; File





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2307 Gadd Road

which is presently zoned RC-2

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

- 1) Livable space in an accessory structure (the poolhouse); and
- 2) Such other and further relief as may be deemed necessary by the Zoning Commissioner.

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

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

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

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

## Legal Owner(s):

Rustica, LLC

Name - Type or Print

Signature

Kim Davis, Authorized Representative of Rustica, LLC

Name - Type or Print

Signature

2307 Gadd Road

(410) 245-7010 6089

Address

Telephone No.

Cockeysville

MD

21030

City

State

Zip Code

## Representative to be Contacted:

Lawrence E. Schmidt, Gildea & Schmidt, LLC

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Case No. 2010-0087-SPHA

Reviewed By JP

Date

9/18/09

REV 9/15/98

**FILED FOR FILING**

Date

11-24-09

By

[Signature]



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 2307 Gadd Road

which is presently zoned: RC-2

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

PLEASE 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)

TO BE PRESENTED AT HEARING

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

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

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Towson

MD

21204

City

State

Zip Code

## Legal Owner(s):

Rustica, LLC

Name - Type or Print

Signature Kim J. Davis  
Kim J. Davis, Authorized Representative of Rustica, LLC

Name - Type or Print

Signature

2307 Gadd Road

(410) 245-7010 6089

Address

Cockeysville

MD

21030

City

State

Zip Code

## Representative to be Contacted:

Lawrence E. Schmidt, Gildea & Schmidt, LLC

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Towson

MD

21204

City

State

Zip Code

## OFFICE USE ONLY

Case No. 2010-0087-SPHA

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING

Reviewed By JF

Date 5/12/09

REV 9/15/98

ORDER RECEIVED FOR FILING  
Date 11-24-09  
By (signature)



ATTACHMENT TO PETITION FOR VARIANCE

2307 Gadd Road

1. 400.1 of the BCZR to permit accessory uses and structures (including an existing tenant house and proposed poolhouse) at a location (front and side, respectively) other than the rear yard;
2. 400.3 of the BCZR to permit <sup>new</sup> accessory uses and structures with a height greater than the maximum permitted 15 feet as follows:
  - a. For an existing tenant house: 22'± in lieu of the maximum permitted 15' limit
  - b. For a proposed poolhouse: 24'± in lieu of the maximum permitted 15' limit
3. For such other and further relief as may be deemed necessary by the Zoning Commissioner.

## **ZONING DESCRIPTION FOR 2307 GADD ROAD**

Beginning at a point on the North side of Gadd Road which is 37 feet wide at the distance of 1,570 feet West of the centerline of the nearest improved intersecting street Falls Road which is 53 feet wide. Being Lot # 1, Section # Plat 2 in the subdivision of John D., Gadd as recorded in Baltimore County Plat Book # 44, Folio # 142, containing 25.6824 acres. Also known as 2307 Gadd Road and located in the 8 Election District, 3 Councilmanic District.

# 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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 2010-0087-SPHA

Petitioner: RUSTICA, LLC

Address or Location: 2307 GADD ROAD

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: JASON VETTORI

Address: GILDEA & SCHMIDT, LLC

600 WASHINGTON AVE., STE. 200

TOWSON, MD 21286

Telephone Number: (410) 821-0070

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS CASH RECEIPT**

No.

Date:

Rev Sub  
Source/ Rev/  
Obj Sub Obj

| Fund | Dept | Unit | Sub Unit | Obj | Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----|---------|----------|---------|--------|
| 201  | 100  |      |          | 15  |         |          |         | 130.00 |
|      |      |      |          |     |         |          |         |        |
|      |      |      |          |     |         |          |         |        |
|      |      |      |          |     |         |          |         |        |
|      |      |      |          |     |         |          |         |        |

Total:

Rec

From:

For:

**DISTRIBUTION**

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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: #2010-0087-SPHA

2307 Gadd Road

N/side of Gadd Road at the distance of 1570 feet west of the centerline of Falls Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Rustica, LLC, Kim Davis,

Authorized Representative

**Special Hearing:** for livable spaces in accessory structure (the poolhouse) and such other and further relief as may be deemed necessary by the Zoning Commissioner. **Variance:** to permit accessory uses and structures (including an existing tenant house and proposed poolhouse) at a location (front and side, respectively) other than the rear yard. To permit accessory uses and structures with a height greater than the maximum permitted 15 feet as follows: (a) for an existing tenant house: 22 feet +/- in lieu of the maximum permitted 15' limit. (b) for a proposed poolhouse: 24 feet +/- in lieu of the maximum permitted 15' limit; and for such other and further relief as may be deemed necessary by the Zoning Commissioner.

**Hearing:** Wednesday, November 18, 2009 at 9:00 a.m. In Room 104, Jefferson Building, 105 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) 887-4386.

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

JT/11/639 Nov 3 220176

## CERTIFICATE OF PUBLICATION

11/5/2009

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 11/3/2009.

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

S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

**RE: 2010-0087-SPHA**

**Petitioner/Developer: \_\_**

**Rustica, LLC, Kim Davis, Authorized Representative**

**Date of Hearing/closing: November 18 , 2009**

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

**Attn; Kristin 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, \_\_\_\_\_**  
**2307 Gadd Road**

The sign(s) were posted on Nov 3 2009  
(Month, Day, Year)

**Sincerely,**

Robert Bluck Nov 6, 2009

(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)

# ZONING NOTICE

CASE # 2010-0087-SPHA

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

Room 104, JEFFERSON BUILDING

**PLACE:** 105 WEST CHESAPEAKE AVE. TOWSON 21204

**DATE AND TIME:** WEDNESDAY, NOVEMBER 18, 2009 AT 9:00AM

**REQUEST:** SPECIAL HEARING FOR LIVERABLE SPACES IN ACCESSORY  
STRUCTURE (THE POOLHOUSE) AND SUCH OTHER AND FURTHER

RELIEF AS MAY BE DEEMED NECESSARY BY THE ZONING COMMISSIONER  
VARIANCE TO PERMIT ACCESSORY USES AND STRUCTURES  
(INCLUDING AN EXISTING TENANT HOUSE AND PROPOSED POOLHOUSE) AT  
A LOCATION (FRONT AND SIDE, RESPECTIVELY) OTHER THAN THE REAR  
YARD TO PERMIT ACCESSORY USES AND STRUCTURES WITH A HEIGHT  
GREATER THAN THE MAXIMUM PERMITTED 15 FEET AS FOLLOWS: (A) FOR  
AN EXISTING TENANT HOUSE: 22 FEET  $\pm$  IN LIEU OF THE MAXIMUM  
PERMITTED 15' LIMIT (B) FOR A PROPOSED POOLHOUSE: 29 FEET  $\pm$  IN LIEU OF THE  
MAXIMUM PERMITTED 15' LIMIT AND FOR SUCH OTHER AND FURTHER  
RELIEF AS MAY BE DEEMED NECESSARY BY THE ZONING COMMISSIONER.  
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY  
TO CONFIRM HEARING CALL 887-3391

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*

October 15, 2009

### 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: 2010-0087-SPHA**

2307 Gadd Road

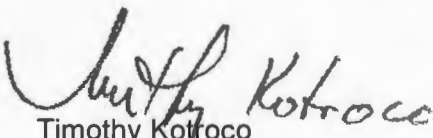
N/side of Gadd Road at the distance of 1570 feet west of the centerline of Falls Road

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Rustica, LLC, Kim Davis, Authorized Representative

Special Hearing for livable spaces in accessory structure (the poolhouse) and such other and further relief as may be deemed necessary by the Zoning Commissioner. Variance to permit accessory uses and structures (including an existing tenant house and proposed poolhouse) at a location (front and side, respectively) other than the rear yard. To permit accessory uses and structures with a height greater than the maximum permitted 15 feet as follows: (a) for an existing tenant house: 22 feet +/- in lieu of the maximum permitted 15' limit. (b) for a proposed poolhouse: 24 feet +/- in lieu of the maximum permitted 15' limit.; and for such other and further relief as may be deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, November 18, 2009 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

  
Timothy Kotroco  
Director

TK:klm

C: Lawrence Schmidt, 600 Washington Ave., Ste. 200, Towson 21204  
Kim Davis, Rustica, LLC, 2307 Gadd Rd., Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 3, 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, November 3, 2009 Issue - Jeffersonian

Please forward billing to:

Jason Vettori  
Gildea & Schmidt  
600 Washington Avenue, Ste. 200  
Towson, MD 21204

410-821-0070

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## 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: 2010-0087-SPHA**

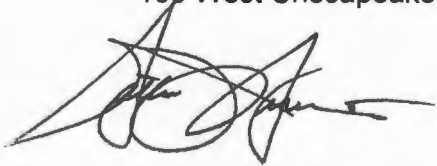
2307 Gadd Road

N/side of Gadd Road at the distance of 1570 feet west of the centerline of Falls Road  
8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Rustica, LLC, Kim Davis, Authorized Representative

Special Hearing for livable spaces in accessory structure (the poolhouse) and such other and further relief as may be deemed necessary by the Zoning Commissioner. Variance to permit accessory uses and structures (including an existing tenant house and proposed poolhouse) at a location (front and side, respectively) other than the rear yard. To permit accessory uses and structures with a height greater than the maximum permitted 15 feet as follows: (a) for an existing tenant house: 22 feet +/- in lieu of the maximum permitted 15' limit. (b) for a proposed poolhouse: 24 feet +/- in lieu of the maximum permitted 15' limit.; and for such other and further relief as may be deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, November 18, 2009 at 9:00 a.m. in Room 104, Jefferson Building,  
105 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.



**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*

November 12, 2009

Lawrence E. Schmidt  
Gildea & Schmidt, LLC  
600 Washington Ave. Ste. 200  
Towson, MD 21204

Dear: Lawrence E. Schmidt\

RE: Case Number 2010-0087-SPHA, 2307 Gadd Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 10, 2009. 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  
Kim Davis: Rustica, LLC; 2307 Gadd Rd.; Cockeysville, MD 21030

BW  
11-18-09

## BALTIMORE COUNTY, MARYLAND

## Inter-Office Correspondence



RECEIVED

NOV 03 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: November 3, 2009

SUBJECT: Zoning Item # 10-087-SPHA  
Address 2307 Gadd Road  
(Rustica, LLC Property)

Zoning Advisory Committee Meeting of September 21, 2009

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

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).

Additional Comments:

Prior to building permit approval for the pool house, soil evaluations may be required to determine a septic reserve area. Contact DEPRM's Groundwater Management section for more information.

Reviewer: S. Farinetti

Date: 10/5/2009

BW 11/18  
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** October 13, 2009

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

RECEIVED

**SUBJECT:** 2307 Gadd Road

OCT 14 2009

**INFORMATION:**

**Item Number:** 10-087

ZONING COMMISSIONER

**Petitioner:** Rustica, LLC

**Zoning:** RC 2

**Requested Action:** Variance and Special Hearing

The petitioner is requesting a variance from Section 400.1 of the BCZR to permit accessory uses and structures (including an existing tenant house and proposed pool house) at a location (front and side, respectively) other than the rear yard. Also from Section 400.3 of the BCZR to permit accessory uses and structures with heights greater than the maximum permitted 15 feet for an existing tenant house of 22 feet in lieu of the maximum permitted 15 feet and for a proposed pool house of 24 feet in lieu of the maximum permitted 15 feet. The petitioner also requests a special hearing to allow livable space in an accessory structure (the pool house).

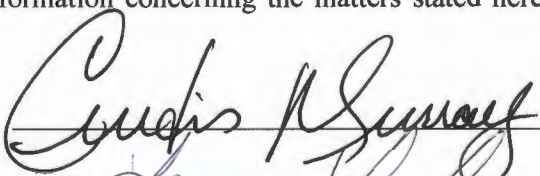
**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports both the variance and special hearing, provided that the following conditions are met.

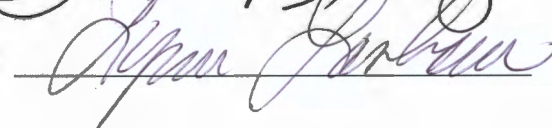
1. The petitioner or subsequent owners shall not convert the subject accessory building into a dwelling unit or apartment.
2. The accessory building shall not be used for commercial purposes.

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

**Prepared by:**



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





BW  
11-18-09**BALTIMORE COUNTY, MARYLAND****Inter-Office Correspondence****RECEIVED****NOV 03 2009****ZONING COMMISSIONER**

**TO:** Timothy M. Kotroco

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

**DATE:** November 3, 2009

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Additional Comments:

Prior to building permit approval for the pool house, soil evaluations may be required to determine a septic reserve area. Contact DEPRM's Groundwater Management section for more information.

Reviewer: S. Farinetti

Date: 10/5/2009

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For October 5, 2009  
Item Nos. 10-087, 088, 089, 090,  
091, 092, 093, 095 and 096

**DATE:** September 25, 2009

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10052009 -NO COMMENTS.doc



**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

October 2, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 21. 2009

Item Numbers 0087, 0088, 0090, 0091, 0092, 0093, 0094, 0095 and 0096

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  
410-887-4881 (C) 443-829-2946  
MS-1102F

cc: File

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



Beverley K. Swaim-Staley, Secretary  
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: *SEPT, 29, 2009*

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

RE: Baltimore County  
Item No. 2010-0087-SPHA  
*2307 GADD RD*  
*RUSTICA, LLC*  
*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. 2010-0087-SPHA.

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

Very truly yours,

*Michael P. Baileg*  
*Fon*<sup>1</sup> 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.sha.maryland.gov](http://www.sha.maryland.gov)



RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE \*  
2307 Gadd Road; N/S Gadd Road, 1,570' W \* ZONING COMMISSIONER  
c/line of Falls Road \*  
8<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts \* FOR  
Legal Owner(s): Rustica, LLC \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 10-087-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

SEP 30 2009

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30<sup>th</sup> day of September, 2009, a copy of the foregoing Entry of Appearance was mailed to Lawrence E. Schmidt, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

CASE NAME Revista  
CASE NUMBER 010-87-SPHA  
DATE 11/18/09

[illegible]



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search** (2007 vw4.3d)

[Go Back](#)  
[View Map](#)  
[New Search](#)

**Account Identifier:** District - 08 Account Number - 1800011431

**Owner Information**

|                         |                                            |                             |                      |
|-------------------------|--------------------------------------------|-----------------------------|----------------------|
| <b>Owner Name:</b>      | RUSTICA LLC                                | <b>Use:</b>                 | AGRICULTURAL         |
| <b>Mailing Address:</b> | 2307 GADD RD<br>COCKEYSVILLE MD 21030-1003 | <b>Principal Residence:</b> | NO                   |
|                         |                                            | <b>Deed Reference:</b>      | 1) /26747/ 541<br>2) |

**Location & Structure Information**

|                         |                                           |
|-------------------------|-------------------------------------------|
| <b>Premises Address</b> | <b>Legal Description</b>                  |
| 2307 GADD RD            | 25.6824 AC<br>2307 GADD RD<br>JOHN D GADD |

|            |             |               |                     |                    |                |              |            |                        |                  |          |
|------------|-------------|---------------|---------------------|--------------------|----------------|--------------|------------|------------------------|------------------|----------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Sub District</b> | <b>Subdivision</b> | <b>Section</b> | <b>Block</b> | <b>Lot</b> | <b>Assessment Area</b> | <b>Plat No:</b>  | <b>2</b> |
| 33         | 20          | 266           |                     |                    |                |              | 1          | 2                      | <b>Plat Ref:</b> | 44/ 142  |

**Special Tax Areas**

**Town**  
Ad Valorem  
**Tax Class**

|                                |                      |                           |                   |
|--------------------------------|----------------------|---------------------------|-------------------|
| <b>Primary Structure Built</b> | <b>Enclosed Area</b> | <b>Property Land Area</b> | <b>County Use</b> |
| 0000                           |                      | 25.68 AC                  | 05                |

|                |                 |             |                 |
|----------------|-----------------|-------------|-----------------|
| <b>Stories</b> | <b>Basement</b> | <b>Type</b> | <b>Exterior</b> |
|----------------|-----------------|-------------|-----------------|

**Value Information**

|                           | <b>Base Value</b> | <b>Value</b> | <b>Phase-in Assessments</b> |            |                                                |
|---------------------------|-------------------|--------------|-----------------------------|------------|------------------------------------------------|
|                           |                   | As Of        | As Of                       | As Of      |                                                |
|                           |                   | 01/01/2008   | 07/01/2009                  | 07/01/2010 | PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE |
| <b>Land</b>               | 259,250           | 264,250      |                             |            |                                                |
| <b>Improvements:</b>      | 207,400           | 217,440      |                             |            |                                                |
| <b>Total:</b>             | 466,650           | 481,690      | 476,676                     | 481,690    |                                                |
| <b>Preferential Land:</b> | 9,250             | 9,250        | 9,250                       | 9,250      |                                                |

**Transfer Information**

|                |                           |               |             |               |             |
|----------------|---------------------------|---------------|-------------|---------------|-------------|
| <b>Seller:</b> | PETERSON FREDERICK B      | <b>Date:</b>  | 03/07/2008  | <b>Price:</b> | \$5,800,000 |
| <b>Type:</b>   | MULT ACCTS ARMS-LENGTH    | <b>Deed1:</b> | /26747/ 541 | <b>Deed2:</b> |             |
| <b>Seller:</b> | GADD JOHN D AG U SE 83-84 | <b>Date:</b>  | 09/06/1979  | <b>Price:</b> | \$180,000   |
| <b>Type:</b>   | IMPROVED ARMS-LENGTH      | <b>Deed1:</b> | / 6072/ 220 | <b>Deed2:</b> |             |
| <b>Seller:</b> |                           | <b>Date:</b>  |             | <b>Price:</b> |             |
| <b>Type:</b>   |                           | <b>Deed1:</b> |             | <b>Deed2:</b> |             |

**Exemption Information**

|                                   |              |            |            |
|-----------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments</b> | <b>Class</b> | 07/01/2009 | 07/01/2010 |
| <b>County</b>                     | 000          | 0          | 0          |
| <b>State</b>                      | 000          | 0          | 0          |
| <b>Municipal</b>                  | 000          | 0          | 0          |

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
 AGRICULTURAL TRANSFER TAX

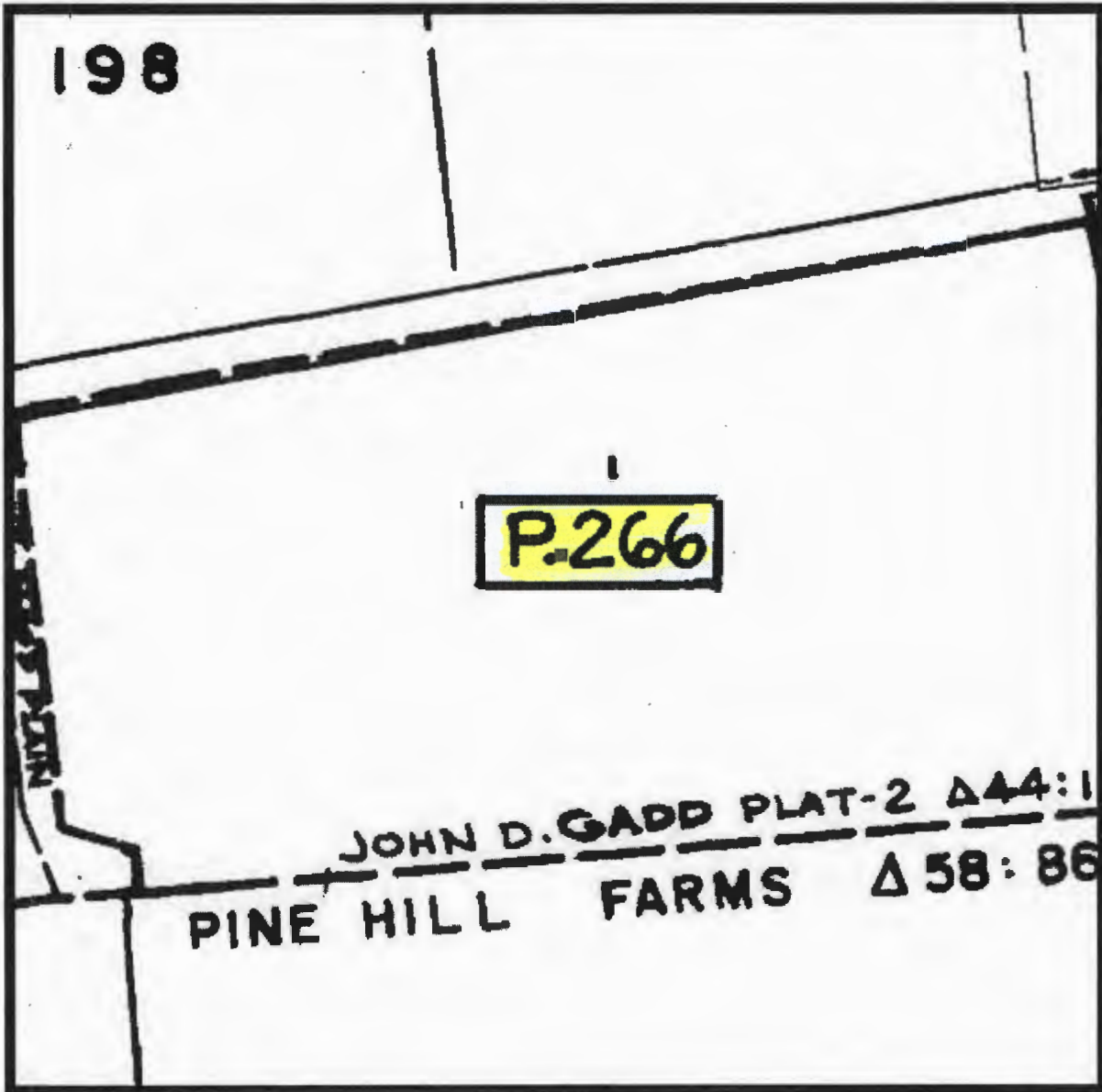




**Maryland Department of Assessments  
and Taxation  
BALTIMORE COUNTY  
Real Property Data Search**

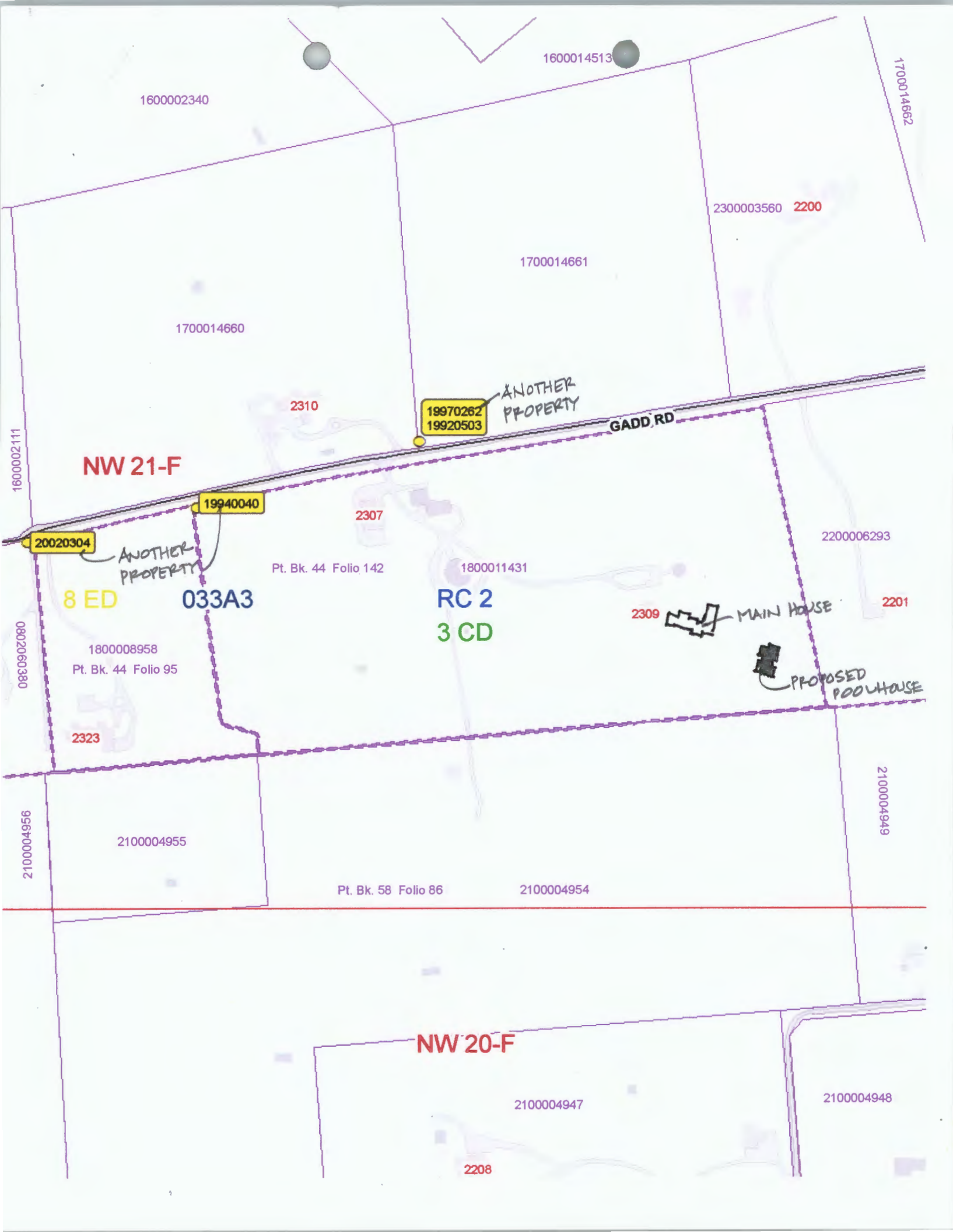
**[Go Back](#)  
[View Map](#)  
[New](#)  
[Search](#)**

**District - 08    Account Number - 1800011431**



Property maps provided courtesy of the Maryland Department of Planning ©2008.  
For more information on electronic mapping applications, visit the Maryland Department  
of Planning web site at [www.mdp.state.md.us/webcom/index.html](http://www.mdp.state.md.us/webcom/index.html)





NW 21-F

8 ED

033A3

RC 2

3 CD

NW 20-F

1600014513

1600002340

1700014662

2300003560 2200

1700014661

1700014660

2310

19970262  
19920503

ANOTHER  
PROPERTY

GADD RD

19940040

2307

20020304

ANOTHER  
PROPERTY

Pt. Bk. 44 Folio 142

1800011431

2200006293

1800008958  
Pt. Bk. 44 Folio 95

2309 MAIN HOUSE

2201

PROPOSED  
POOLHOUSE

2323

2100004955

Pt. Bk. 58 Folio 86

2100004954

2100004949

2100004947

2100004948

2208

Case No.: 2010-0087-SPHA 2307 GADD RD.

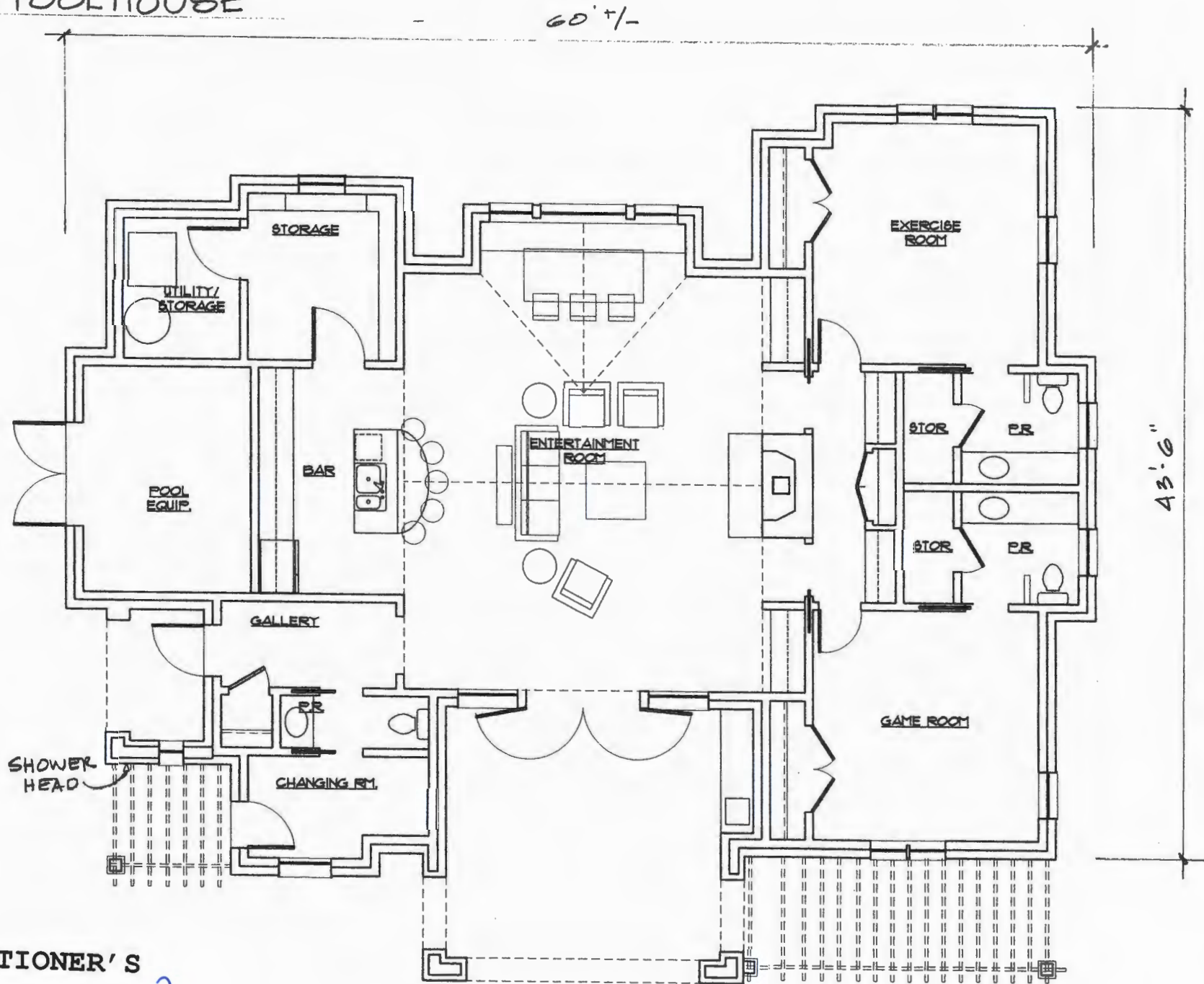
Exhibit Sheet

Petitioner/Developer

Protestant

|        |                                                     |  |
|--------|-----------------------------------------------------|--|
| No. 1  | Site Plan                                           |  |
| No. 2  | Pool House Floor Plan                               |  |
| No. 3  | Elevation, Drawings<br>Home / Pool House            |  |
| No. 4  | Ⓐ Photo - Plan and<br>Ⓑ Photographs of improvements |  |
| No. 5  | Letters of Support<br>Adjacent Neighbors            |  |
| No. 6  | Petitioner's Home - 2 story<br>under construction   |  |
| No. 7  |                                                     |  |
| No. 8  |                                                     |  |
| No. 9  |                                                     |  |
| No. 10 |                                                     |  |
| No. 11 |                                                     |  |
| No. 12 |                                                     |  |

# DAVIS POOLHOUSE



PETITIONER'S

EXHIBIT NO.

2

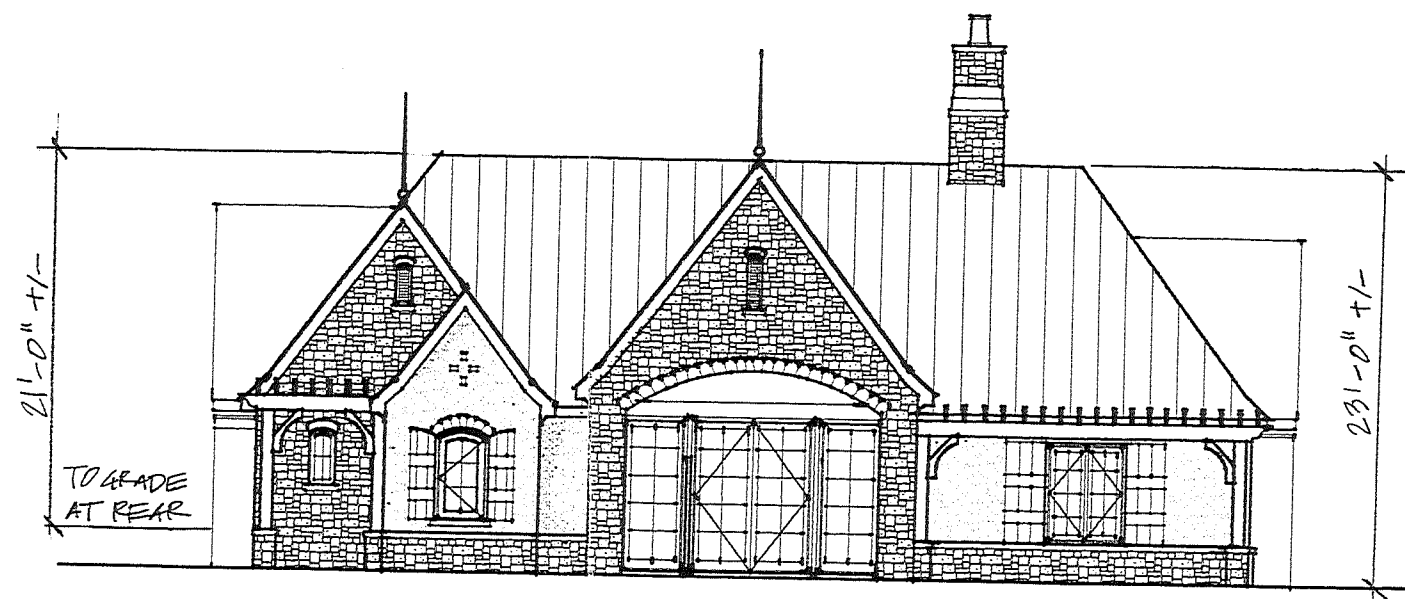
FLOOR PLAN

SCALE = 1/8" = 1'-0"

2307 GADD ROAD



2 STORY DWELLING REAR ELEVATION (UNDER CONSTRUCTION)



PROPOSED POOLHOUSE FRONT ELEVATION SCALE: 3/32" = 1'-0"

PETITIONER'S  
EXHIBIT NO. 3



*Clark F. and Ann S. MacKenzie*  
*2310 Gadd Road*  
*Cockeysville, Maryland 21030*

November 3, 2009

Mr. Timothy M. Kotroco  
Permits & Development Management  
Director  
County Office Building  
1111 West. Chesapeake Avenue, Suite 105  
Towson, Maryland 21204

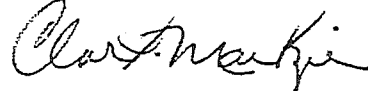
Re: Case #2010-0087-SPHA (2307 Gadd Road)

Dear Mr. Kotroco:

I am writing this letter in support of the proposal by Rustica, LLC and Kim Davis to obtain a variance for living spaces in an accessory structure. My wife and I own the property directly to the north (2310 Gadd Road). We have owned the property for more than 20 years and are very pleased with the new home and outbuildings being constructed by Mrs. Davis. The architecture, scale and quality are superior. The plan for a proposed building with living quarters is acceptable to us and we hope their request for a variance will be given favorable consideration.

Thank you.

Sincerely,



Clark F. MacKenzie

CFM:tbb

Cc: William J. Wiseman, III  
Zoning Commissioner

PETITIONER' S

EXHIBIT NO. 5

---

**Larry Schmidt**

---

**From:** Kim Davis [jamescdavis1@comcast.net]  
**Sent:** Thursday, September 03, 2009 5:13 PM  
**To:** 'Larry Schmidt'  
**Subject:** FW: davis variance

Hi Larry,

The below is a letter of support from our neighbors across the street. I tried to forward to Jason, but delivery failed. I should have others coming. Some handwritten and some by email. Let me know if the email ones are suffice. Thank you. kim

---

**From:** hughes2200@hotmail.com [mailto:hughes2200@hotmail.com]  
**Sent:** Thursday, September 03, 2009 2:47 PM  
**To:** jamescdavis1@comcast.net  
**Subject:** RE: davis variance

Hi Kim:

I enjoyed talking with you by phone Tuesday. The house is absolutely beautiful and we are looking forward to having you all as neighbors on Gadd Road.

To Whom It May Concern:

Please accept this correspondence as a letter of support for the variance requested by Kim and Jim Davis for construction of a pool and pool house at 2201 Gadd Road, Cockeysville, MD.

Please feel free to contact us if any additional information is needed.

Sincerely,

Anna and Mackey Hughes  
2200 Gadd Road  
Cockeysville, MD 21030  
410.771.5550

---

**From:** jamescdavis1@comcast.net  
**To:** hughes2200@hotmail.com  
**Subject:** davis variance  
**Date:** Tue, 1 Sep 2009 18:54:10 -0400

Hi Anna,

It was wonderful to speak with you this evening. thank you for your time!

Your letter of support is greatly appreciated. I think either way to send your correspondence is fine. You can reply by email, or send a note to us (Kim and Jim) at 2008 west joppa road, Lutherville, md 21093.

We look forward to being full time on gadd soon! kim

---

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11/17/2009

2307 GADD ROAD

SITE PHOTOS



BUILDING B ↑



BUILDING D ↑



BUILDING A ↑



BUILDING C ↑

PETITIONER'S

EXHIBIT NO. 4B



2307 GADD ROAD

SITE PHOTOS



VIEW G



VIEW H



2307 GADD ROAD

2 STORY DWELLING - UNDER CONSTRUCTION

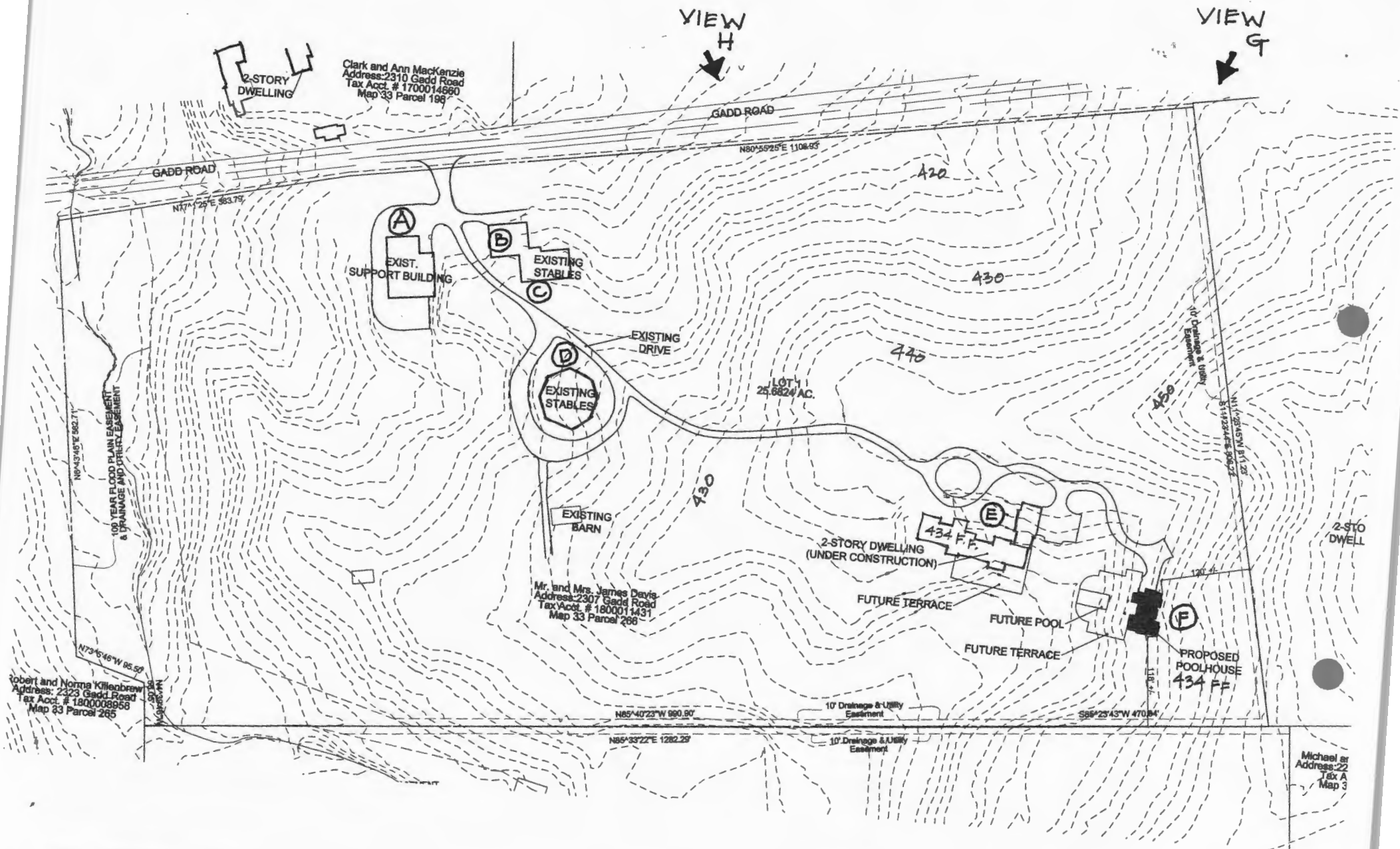
PETITIONER' S

EXHIBIT NO. 6





2307 GADD ROAD



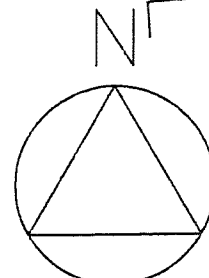
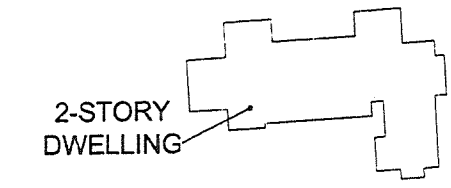
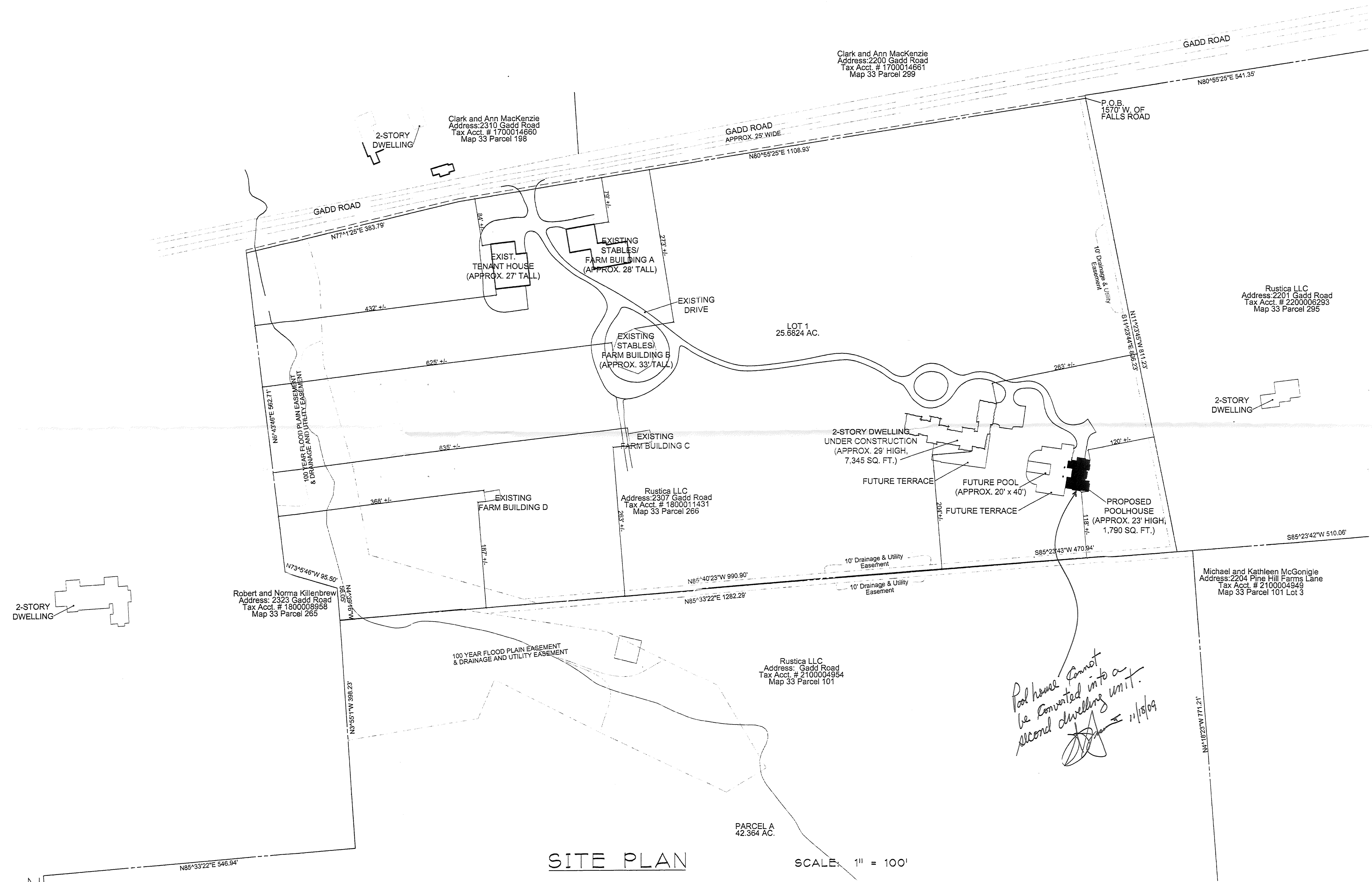
SITE PLAN N.T.S.

PETITIONER'S

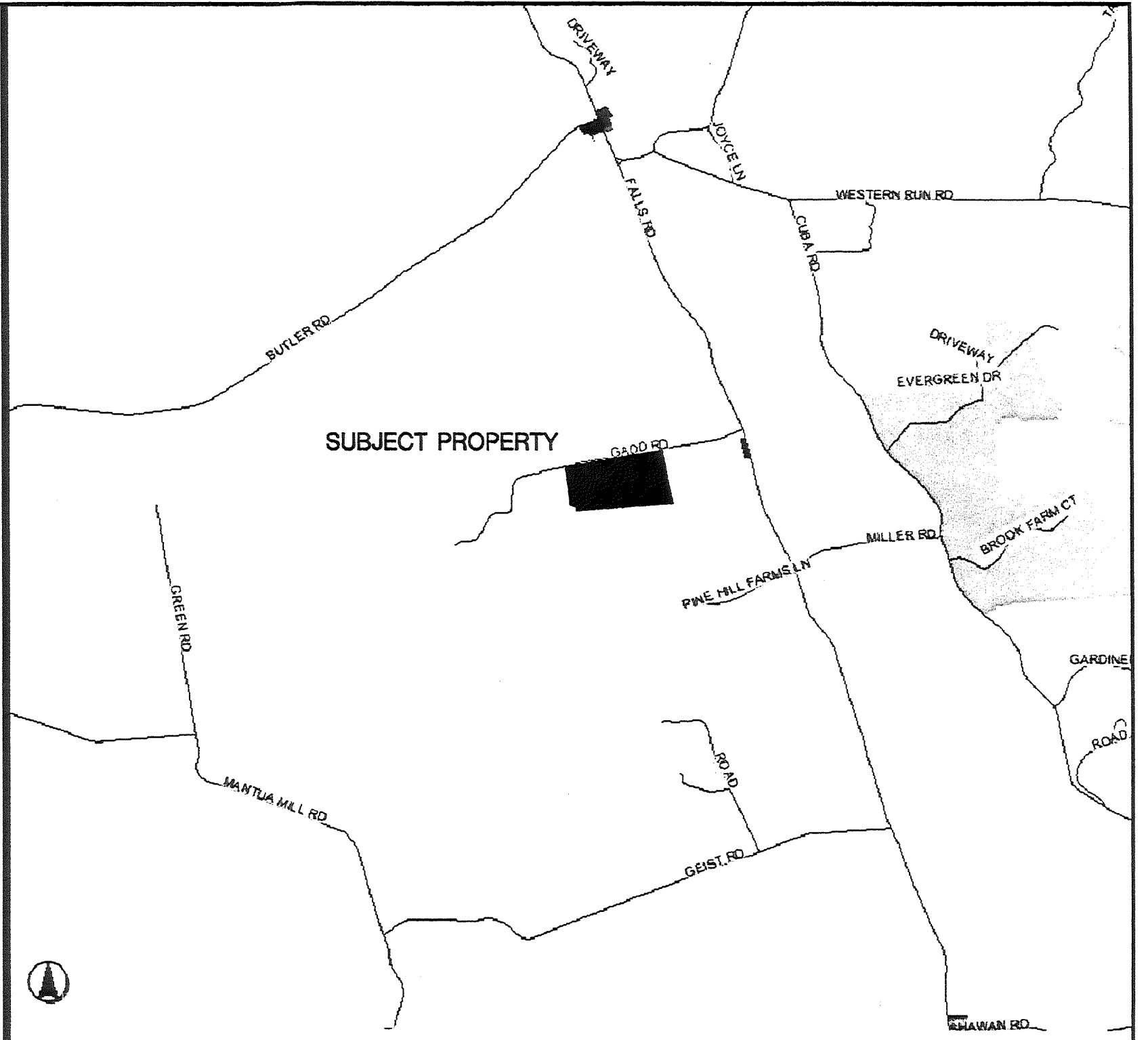
EXHIBIT NO. 4A

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE  
AND SPECIAL HEARING

PROPERTY ADDRESS: 2307 GADD ROAD  
SUBDIVISION NAME: JOHN D. GADD  
PLAT BOOK #44, FOLIO #142, LOT #1,  
SECTION #PLAT 2  
OWNER: RUSTICA LLC



PREPARED BY: DONALD B. RATCLIFFE, AIA & ASSOC.



VICINITY MAP  
SCALE: 1" = 2000'

LOCATION INFORMATION

ELECTION DISTRICT: 8  
COUNCILMATIC DISTRICT: 3  
1" = 200' SCALE MAP #033A3  
ZONING: RC2  
LOT SIZE: 25.6824 AC, 1118725.34 SQ. FT.  
PRIVATE SEWER  
PRIVATE WATER  
CHESAPEAKE BAY CRITICAL AREA: NO  
100 YEAR FLOOD PLAIN: NO  
HISTORIC PROPERTY/BUILDING: NO  
(LIES WITHIN THE WORTHINGTON VALLEY HISTORIC DISTRICT)  
PRIOR ZONING HEARING: NONE

PETITIONER'S  
EXHIBIT NO. 1

ZONING OFFICE USE ONLY

| REVIEWED BY: | ITEM # | CASE # |
|--------------|--------|--------|
| JE           | 0087   |        |

Petition for Variance:  
1. 400.1 of the BCZR to permit accessory uses and structures (including an existing tenant house and proposed poolhouse) at a location (front and side, respectively) other than the rear yard;  
2. 400.3 of the BCZR to permit accessory uses and structures with a height greater than the maximum permitted 15 feet as follows:  
a. For an existing tenant house: 22'± in lieu of the maximum permitted 15' limit  
b. For a proposed poolhouse: 24'± in lieu of the maximum permitted 15' limit  
3. For such other and further relief as may be deemed necessary by the Zoning Commissioner.  
Petition for Special Hearing:  
1. Livable space in an accessory structure (the poolhouse); and  
2. For such other and further relief as may be deemed necessary by the Zoning Commissioner.

*Pool house cannot be converted into a second dwelling unit. 11/16/09*