IN RE: PETITION FOR VARIANCE SE side of Circle Road and W of Lake Roland Drive 9th Election District 2nd Councilmanic District **(1854 Circle Road)** Christine O. and Ross B. Diffenderffer, Jr. *Petitioners*	*	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2011-0197-A**

* * * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Office of Administrative Hearings for consideration of a Petition for Variance filed by the legal owners of the subject property, Christine O. and Ross B. Diffenderffer, Jr. Petitioners are requesting Variance relief as follows:

- From Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard; and
- From Section 400.3 of the B.C.Z.R. to allow an accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum.

The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners Christine O. and Ross B. Diffenderffer, Jr. and Bruce Doak with Gerhold, Cross & Etzel, Ltd., the professional land surveyor who prepared the site plan and who is assisting the Petitioners in the permit process. Beth Gregory and Hugh Calkins, neighboring owners represented by J. Carroll Holzer, Esquire, attended the hearing and opposed the Petitioners' request. Jim Patton, an engineer, also attended the hearing on behalf of the Protestants. Finally, Peggy Squitieri of the Ruxton

ORDER RECEIVED FOR FILING
Date 2-18-11
By

Riderwood Lake Roland Area Improvement Association, Inc., attended the hearing, and noted that her organization took no position on the request.

The undersigned received three letters of opposition from three neighboring owners: Beth Gregory and Hugh Calkins, Thomas W. Haines and William J. and Lisa M. Tate. They strongly oppose the requested variances.

Testimony and evidence offered revealed that the subject property comprises approximately 9/10 of an acre, and is improved with a three story concrete and frame dwelling. Petitioners seek to construct a 2 story garage on the southeast side of their lot, which faces the properties owned by Ms. Gregory and Mr. Calkins and Mr. Haines.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated January 14, 2011 which indicates that the property is within the Ruxton Riderwood Lake Roland Design Review area. However, the accessory structure is less than the 50% of the floor area of the dwelling, the threshold required for a Design Review Panel public hearing.

Based upon the testimony and evidence presented, I am persuaded to deny the request for variance relief. Simply put, the Petitioners have failed to adduce sufficient evidence to carry the weighty burden placed on them by *Cromwell v Ward* and its progeny. That line of cases makes clear that variance relief should not be granted unless the applicant can show that his property is unique in some significant way, and that the denial of the variance would impose a hardship upon him. Stated otherwise, the "need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicant." *McLean v. Soley*, 270 Md. 208 (1973). That standard is not met in this case.

ORDER RECEIVED FOR FILING

Date 2-18-11

By _____

Here, the Petitioners seek to build the garage as a space for their vehicles and as an activity space for their children. They testified that they proposed to construct at the southeastern portion of their lot, so as not to disturb the septic area. Although the renderings of the garage indicate that it would be an attractive structure, the reality is that, to an outside observer, it could be a separate dwelling. The proposed garage would be over 2,400 square feet and would be situated on the opposite end of the lot from the existing home. In these circumstances, the garage would not be "subordinate" and "incidental to" the main dwelling, as is required for all "accessory buildings" under the B.C.Z.R. Mr. Doak conceded – as he must – that there is nothing "peculiar" about the shape or topography of the Petitioners' lot, and thus Petitioners cannot satisfy B.C.Z.R. Section 307. The crux of Petitioners' case was that the existing septic area constrained their choices as to where to locate the garage. But the evidence on this issue – consisting mainly of hearsay statements attributed to Rob Powell, a Department of Environmental Protection and Sustainability employee, and a septic contractor, was not convincing. Even if the undersigned was in a state of equipoise concerning whether to grant the requested relief, the vigorous opposition from Petitioners' three adjoining neighbors militates in favor of denying the variance.

Mr. Calkins testified that approval of the variance would have a very negative impact on his property – both in terms of property value but also privacy and the views and setting he enjoys. In addition, a letter was sent by Thomas W. Haines of 1860 Circle Road dated January 27, 2011, which was marked and accepted into evidence as Protestant's Exhibit 9. Mr. Haines strongly opposes the requested variance as the new structure will tower above his property and the Calkins' property. He is also concerned that a structure of this size will be used for purposes other than a garage and could potentially be another dwelling. Mr. Haines is also concerned about the removal of a significant amount of old growth trees in order to construct the structure. A letter was also

ORDER RECEIVED FOR FILING
Date 2-18-11
By

received from Mr. Tate (Protestant's Exhibit 8), who opposed the request. This vocal opposition from Petitioners' adjoining neighbors certainly suggests that the grant of variance relief would not promote the "general welfare", and that is an additional factor in the analysis. B.C.Z.R Section 307.

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 DENIED.

THEREFORE, IT IS ORDERED this 18 day of February, 2011, that Petitioners' Variance request as follows:

- From Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard; and
- From Section 400.3 of the B.C.Z.R. to allow an accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum

be and is hereby DENIED.

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/pz

ORDER RECEIVED FOR FILING
Date 2-18-11
By

KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

February 17, 2011

CHRISTINE O. AND ROSS B. DIFFENDERFFER, JR.
1854 CIRCLE ROAD
TOWSON MD 21204

Re: Petition for Variance
Case No. 2011-0197-A
Property: 1854 Circle Road

Dear Mr. and Mrs. Diffenderffer:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

THB:pz

Enclosure

c: Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Blvd., Suite 100, Towson, MD 21286
J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmount Avenue, Towson, MD 21286
Peggy Squitieri, Ruxton Riderwood Lake Roland Area Improvement Association, Inc., PO Box 204, Riderwood MD 21139

JB

Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at #1854 Circle Road

which is presently zoned D.R. 1

Deed Reference: 6368 / 205 Tax Account # 1900003334

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)

400.1 TO ALLOW AN ACCESSARY STRUCTURE (DETACHED GARAGE) IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD

400.3 TO ALLOW AN ACCESSARY STRUCTURE (DETACHED GARAGE) TO HAVE A HEIGHT OF 25 FEET PLUS A CUPOLA IN LIEU OF THE REQUIRED 15 FEET MAXIMUM

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

To allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard. And to allow and accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature ORDER RECEIVED FOR FILING 2-18-11

Company Date

Address By Telephone No.

City State Zip Code

Legal Owner(s):

Ross B. Diffenderffer, JR.

Name - Type or Print

X

Signature

Christine O. diffenderffer

Name - Type or Print

X

Signature

1854 Circle Road (410)-296-2475

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

Representative to be Contacted:

Bruce E. Doak - Gerhold, Cross & Etzel, Ltd.

Name

320 E. Towsontown Blvd. Suite 100 (410)-823-4470

Address Telephone No.

Towson, Maryland 21286

City State Zip Code

Case No. 2011-0197-A

Office Use Only

Estimated Length of Hearing

Unavailable For Hearing

Reviewed by Date 12/20/10

REV 8/20/07

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

October 19, 2010

ZONING DESCRIPTION
Diffenderffer Property
Tax ID: 19-00-003334
#1854 Circle Road
Baltimore County, Maryland

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

Beginning at a point on the southeast side of Circle Road 700' more or less westerly along the southeast side of Circle Road from its intersection with Lake Roland Drive, thence leaving said road,

1) South 31 degrees 42 minutes 18 seconds East 234.34 feet,
2) South 68 degrees 59 minutes 110 seconds West 172.31 feet
3) By a curve to the left having a radius of 70.00 feet and an arc distance of 44.92 feet and being subtended by a chord South 72 degrees 45 minutes 56 seconds West 44.15 feet,
4) North 28 degrees 10 minutes 00 seconds East 31.06 feet,
5) North 28 degrees 30 minutes 00 seconds West 183.65 feet, to the south side of Circle Road, thence binding along said south side of Circle Road
6) North 60 degrees 47 minutes 00 seconds East 175.10 feet, to the place of beginning.

Containing 0.922 Acres of land, more or less.



12/09/10

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

2011-0197-A

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

No. 62280

Date: 12/20/10

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	80C	0000		6150				75.00

Total: 75.00

Rec From: Bruce Doak

For: Ross Diffenderffer
1854 Circle Rd
21204 2011-0197-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT
BUSINESS ACTUAL TIME
12/22/2010 12/20/2010 15:38:36 2
REG MGR5 MALKIN DOUL PAD
RECEIPT # 558334 12/20/2010 OFLH
Dept: 5 520 ZONING VERIFICATION
CK NO. 062280
Recpt Tot $75.00
$75.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

2011 0197 2-2-11

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: # 2011-0197-A
1854 Circle Road
S/east Circle Rd, 700 +/- westerly along the s/east side of Circle Rd., from intersection with Lake Roland Dr.
9th Election District — 2nd Councilmanic District
Legal Owner(s): Ross & Christine Diffenderfer

Variance: to allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard; to allow an accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum.

Hearing: Thursday, February 3, 2011 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS 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 1/669 January 18 265148

CERTIFICATE OF PUBLICATION

1/20/, 2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 ~~successive~~ weeks, the first publication appearing on 1/18/, 2011.

- [X] 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.
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

RE: Case #2011-0197-A
PETITIONER: Ross & Christine Diffenderffer
DATE OF HEARING: 2/03/2011

CERTIFICATE OF POSTING

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:

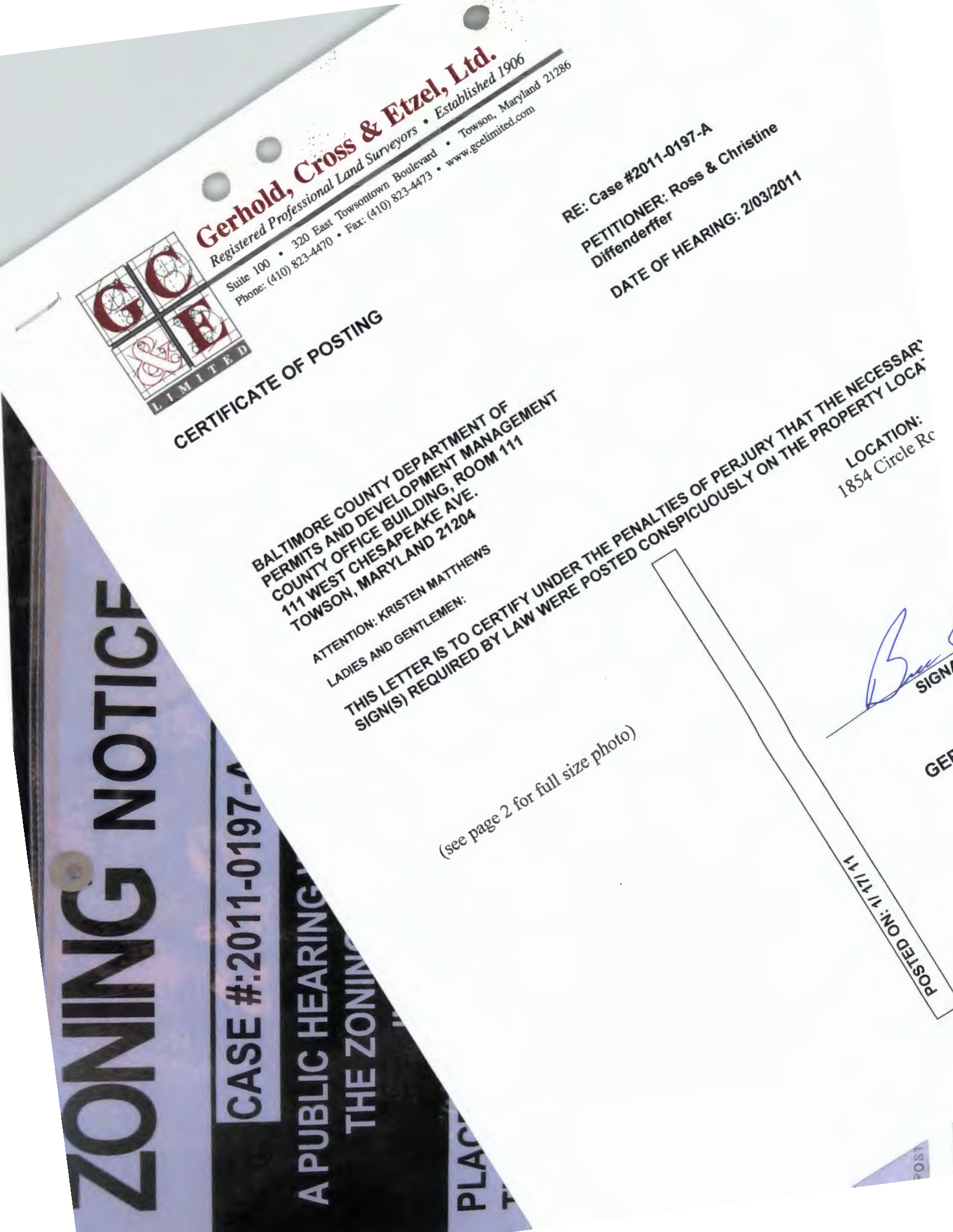
THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT:

LOCATION:
1854 Circle Ro

SIGNA

GE

(see page 2 for full size photo)




ZONING NOTICE
CASE #:2011-0197-A
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.
PLACE: Room 205 Jefferson Building
TIME & 105 West Chesapeake Avenue, Towson, MD
DATE : 1:30 pm Thursday February 3,2011
Variance to allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard: to allow an accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum.
HEARINGS ARE HANDI PPED ACCESSIBLE

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

January 11, 2011

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: 2011-0197-A
1854 Circle Road
S/east Circle Rd, 700 +/- westerly along the s/east side of Circle Rd., from intersection with Lake Roland Dr
9th Election District – 2nd Councilmanic District
Legal Owners: Ross & Christine Diffenderffer

Variance to allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard; to allow an accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum.

Hearing: Thursday, February 3, 2011 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Bruce Doak, GC&E, 320 E. Towsontown Blvd., Ste. 100, Towson 21286
Mr. & Mrs. Diffenderffer, 1854 Circle Road, Towson 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 18, 2011.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 18, 2011 Issue - Jeffersonian

Please forward billing to:
Ross Diffenderffer 410-296-2475
1854 Circle Road
Towson, MD 21204

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: 2011-0197-A
1854 Circle Road
S/east Circle Rd, 700 +/- westerly along the s/east side of Circle Rd., from intersection with Lake Roland Dr
9th Election District – 2nd Councilmanic District
Legal Owners: Ross & Christine Diffenderffer

Variance to allow an accessory structure (detached garage) in the front yard in lieu of the required rear yard; to allow an accessory structure (detached garage) to have a height of 25 feet plus a cupola in lieu of the required 15 feet maximum.

Hearing: Thursday, February 3, 2011 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The 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: 2011-0197-A

Petitioner: Ross B. Diffenderffer, Jr. & Christine O. Diffenderffer

Address or Location: 1854 Circle Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ross B. Diffenderffer, Jr. & Christine O. Diffenderffer

Address: 1854 Circle Road

Towson, Maryland 21204

Telephone Number: (410)-296-2475

Revised 2/20/98 - SCJ

Hearing 2/3/11

JB

RE:	PETITION FOR VARIANCE 1854 Circle Road; SE of Circle Rd., 700 ft westerly along SE side of Circle Road from Int. w/ Lake Roland Dr. 9th Election & 2nd Councilmanic Dists. Legal Owners: Ross B. Jr. & Christine O. Diffenderffer,	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY
	Petitioners.	*	2011-197-A

* * * * * * * * * * * * *

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.

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

RECEIVED

FEB 02 2011

ZONING COMMISSIONER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, 320 E Towsontowne Boulevard, Suite 100, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 28, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2011
Item No. 2011-197

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Proposed garage shall be set back at least 1-foot away from the drainage and utility easement so that the footing is outside of the easement.

DAK:CEN:cab
cc: File
ZAC-ITEM NO 11-197-01172011.doc

KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

January 3, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **January 3, 2011**

Item No.:

Variance: 2011-0197A, 2011-0200A - 0201A.

Administrative Variance: 2011-0199A.

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Need to provide plans for the following case number: 2011-0198A

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

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

SHA State Highway Administration
Maryland Department of Transportation

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

Date: JAN. 03, 2011

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

RE: Baltimore County
Item No 2011-0197-A
1864 CIRCLE DRIVE
DIFFENDREFFER 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. 2011-0197-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,

Michael P. Bailey

For Steven D. Foster, Chief
Access Management Division

SDF/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, Interim Director
Department of Permits and
Development Management

DATE: January 14, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 1854 Circle Road

RECEIVED

JAN 19 2011

ZONING COMMISSIONER

INFORMATION:

Item Number: **11-197**

Petitioner: Ross & Christine Diffenderfer

Zoning: **DR 1**

Requested Action: **Variance**

The petitioner's request a. variance to allow an accessory structure in the front yard in lieu of the required rear yard and with a height of 25 feet in lieu of 15 feet. The property in question is within the Ruxton Riderwood Lake Roland Design Review area; however the accessory structure is less than the 50 % of the floor area of the dwelling, the threshold required for a DRP public meeting.

SUMMARY OF RECOMMENDATIONS:

If granted, the Office of Planning requests review and approval of architectural drawings for all four elevations and floor plans prior to application of any building permits. There should be no separate living quarters in the garage.

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

Prepared by: Curtis Murray

Division Chief: Lynn Lanham

JM/LL: CM

W:\DEVREV\ZAC\ZACs 2011\11-197.doc

JB 2/3
1:30

Hugh Calkins
Beth Gregory
1856 Circle Road
Baltimore, Maryland 21204

January 27, 2011

The Honorable William J. Wiseman, III
Zoning Commissioner
Baltimore County Maryland
Room 111
105 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED
JAN 31 2011
ZONING COMMISSIONER

Regarding:
Case No. 2011-197-A
Ross B. and Christine O. Diffenderffer, Owner

Dear Commissioner Wiseman;

We are the owners of the property adjacent and immediately north of the Applicant's property. As the neighbor with the longest shared property line we will be impacted most by the proposed structure. We are in very strong opposition to the requested variances. We have therefore rescheduled our work obligations and plan to attend the up-coming hearing to explain in detail the basis for our strong feeling concerning this matter.

We purchased our home five years ago with the understanding that current zoning laws will be enforced and that the privacy and tranquility of our property will be maintained. Approval of either of the two variances requested by the Diffenderffers would have a very negative impact on our property – both in terms of property value but also our privacy and the views and setting we enjoy.

We look forward to meeting with the Zoning Board and more clearly presenting our views. If the Diffenderffer's want a garage, 27 years after they selected the lot, and designed and built their current home they should have planned the location of their septic field accordingly and they should have included a garage in their original plans. If they do want a garage at this time they have the opportunity to move their septic field to allow the garage to be attached to their house as specified by current Zoning laws.

Very Truly Yours,

Hugh Calkins

JB 2/3 1:30

Thomas W. Haines
1860 Circle Road
Baltimore, Maryland 21204

PROTESTANT'S

EXHIBIT NO. 9

January 27, 2011

The Honorable William J. Wiseman, III
Zoning Commissioner
Baltimore County Maryland
Room 111
105 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED
JAN 28 2011
ZONING COMMISSIONER

Regarding:
Case No. 2011-197-A
Ross B. and Christine O. Diffenderffer, Owner

Dear Commissioner Wiseman;

I am the owner of one of the two properties to the immediate east of the Applicant's property that would be most impacted by the proposed structure and wish to express my opposition to the requested variances. The other property belongs to Dr. Hugh Calkins and his wife (the " Calkins Property") Unfortunately I cannot attend the hearing scheduled for February 3 , 2010, because of my son's long scheduled wedding on February 5th in Massachusetts.

Both my home, 1860 Circle Road, and the Calkins property are downhill from the Diffenderffers' and the new structure will tower above both properties. Because of the considerable grade, it is estimated that the structure will be in excess of thirty-five feet on the side that adjoins my property and the Calkins property. It will in essence form an unsightly and massive wall, most likely concrete block, with minimal set-back from my property line. Clearly the proposed structure should be built in the rear of the existing home on the Diffenderffer property as zoning requires and not exceed the mandated height restrictions, 14 feet, for an ancillary structure.

I have seen a copy of the preliminary plans for the structure. I was initially told that it was to be a garage for the family cars, but it is apparent from the size and design of the structure that it will have uses for other purposes as well. There is no assurance that the structure, as built, will look anything like what is depicted in the preliminary plan. It is only fractionally smaller than the existing home on the property. The preliminary plan shows a cupola on the roof. A height

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections

January 26, 2011

Ross B Diffenderffer, Jr.
Christine O. Diffenderffer
1854 Circle Road
Towson, Maryland 21204

Dear Ross & Christine:

RE: Case Number 2011-0197-A Address 1854 Circle Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 20, 2010. 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:rjc

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel, LTd. Bruce E. Doak 320 E. Towsontown Blvd. Ste 100 Towson MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, Interim Director
Department of Permits and
Development Management

DATE: January 14, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 1854 Circle Road

INFORMATION:

Item Number: **11-197**

Petitioner: Ross & Christine Diffenderfer

Zoning: **DR 1**

Requested Action: **Variance**

The petitioner's request a. variance to allow an accessory structure in the front yard in lieu of the required rear yard and with a height of 25 feet in lieu of 15 feet. The property in question is within the Ruxton Riderwood Lake Roland Design Review area; however the accessory structure is less than the 50 % of the floor area of the dwelling, the threshold required for a DRP public meeting.

SUMMARY OF RECOMMENDATIONS:

If granted, the Office of Planning requests review and approval of architectural drawings for all four elevations and floor plans prior to application of any building permits. There should be no separate living quarters in the garage.

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

Prepared by:

Division Chief:

JM/LL: CM

W:\DEVREV\ZAC\ZACs 2011\11-197.doc

PLEASE PRINT CLEARLY

CASE NAME Diffendorffer
CASE NUMBER 2011-0197A
DATE 2/4/11

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Bruce E. Doak Gorholo Cross & Etzol	320 E. Towsontown Blvd	Towson Md 21286	
R.B. Diffendorffer, JR	1854 Circle Road Ruxton, MD 21204		
Chrissy Diffendorffer	1854 Circle Road Ruxton, MD 21204		

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 2011-0197-A
DATE 2/3/11

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
J. Carroll Holzer	508 Fairmount Ave	Towson Md	
Beth Gregory	1856 Circle Road	Towson, MD	beth.gregory@verizon.net
Hugh Talkin	1856 Circle Road	Towson MD	hcalkins@vhmi.edu
JIM PATTON	TBD ELDRIDGE LN #, SUITE 104	LUTHERVILLE, MD 21093	JSPC petitioncoordinators.Net
Peggy SQUITIERI	RRLRAIA P.O. Box 204	Riderwood MD 21139	RRLRAIA@Comcast.net

If they desire a garage they do have other options available to them which would be in compliance with zoning.

Our understanding is that their plat is less than the 1 acre required for a residence. We are opposed to putting what amounts to 2 residence size structures on a parcel which is too small to legally support 1 structure.

We feel that this structure will decrease the value of surrounding properties. This will ultimately affect the property values of all the homes in this part of Baltimore County.

We also have concerns about how runoff and septic runoff on to adjacent properties and into a stream alongside Circle Road which already has erosion issues will be affected. It is also unclear where the septic for the garage structure will be located or whether their current septic system is appropriate for an increase in flow. This is particularly true given the vertical elevations of this property. Further it should be considered that a number of large mature trees may need to be taken down to accommodate the structure leading further to a negative environmental impact.

For the above reasons, we hope that the Zoning Board will act to enforce the current zoning laws which prohibit construction of structures such as this. We are very strongly hoping that you will turn down each of these two requests for a Variance.

Sincerely yours,

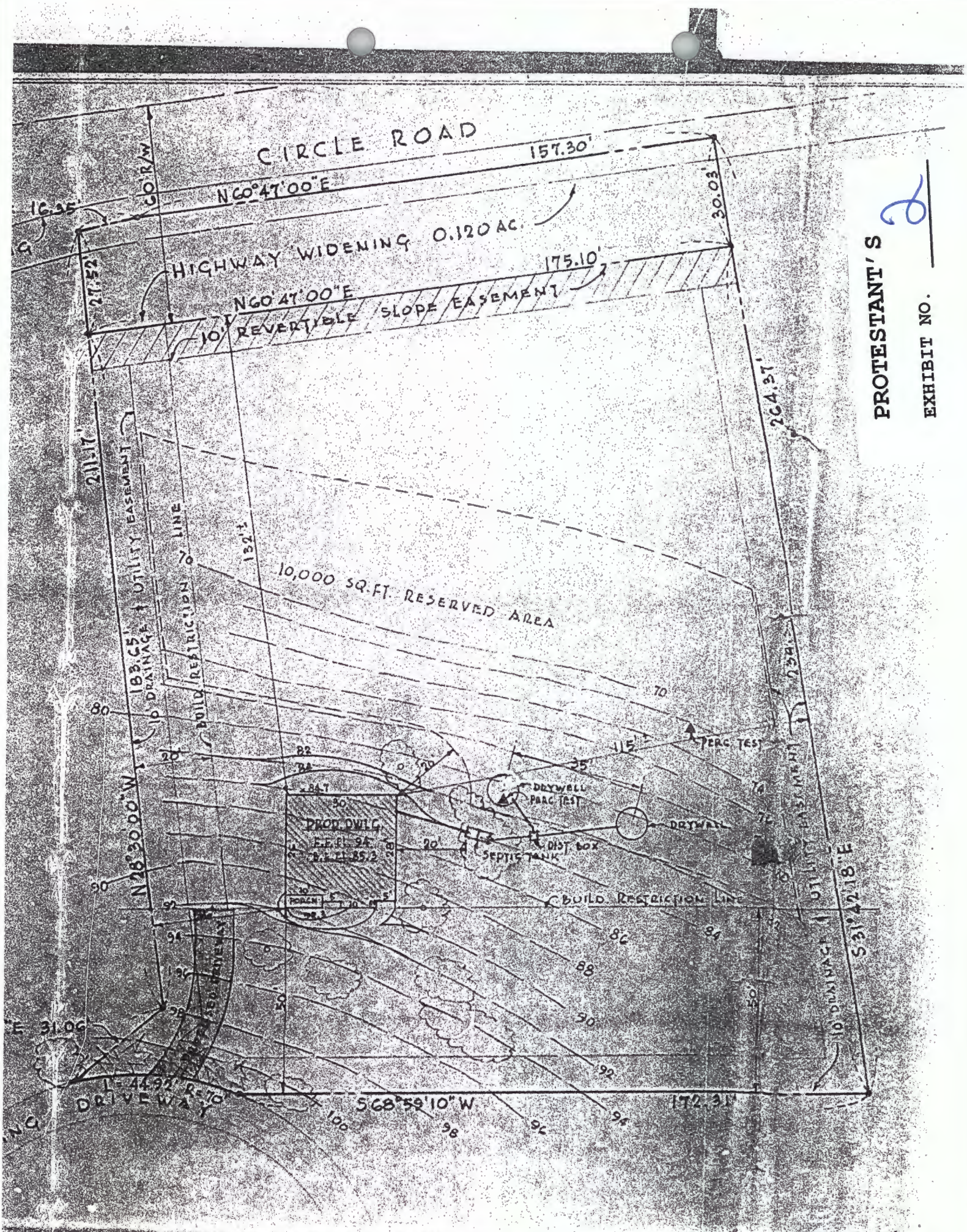
William J. Tate
Lisa M. Tate

1811 Circle Rd.
Towson, MD 21204
Tel: 410-337-7048
Email: btate@tateandale.com

Case No.: 2011-0197-A 1854 Circle Road

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	Ex. 1 - drawing by Architect 1-7-11 Sheet #4 of 4 - elevation drawing
No. 2	Plan to Accompany Photos	Ex. 2 - Perc Plan
No. 3	3A-9 Photos	Ex 3 - aerial photo
No. 4	Plan re: septic system location.	Ex. 4 - backyard photo
No. 5		Ex 5 photo
No. 6		Ex 6 photo
No. 7		Ex 7 photo
No. 8		Ex 8 - letter from TATE
No. 9		Ex. 9 - letter from Haines
No. 10		
No. 11		
No. 12		



PROTESTANT'S 8

EXHIBIT NO.

1854 Circle









William J. and Lisa M. Tate
1811 Circle Road
Towson, MD 21204
Tel: 410-337-7048
Email: btate@tateandale.com

January 31, 2010

Zoning Review
Room 111
County Office Building
111 West Chesapeake Avenue
Towson, MD

Re: Opposition to Case No. 2011-197-A Ross B. and Christine O. Diffenderffer, Owner

Gentlemen:

We are writing to express our opposition to the request by the Diffenderffers for the granting of two Variances to allow construction of a 25 foot tall accessory structure. We own the property and live on the property directly across Circle Road from the Diffenderfer property.

They have requested a Variance to allow a detached structure to be located at the side of their property rather than behind or attached to the house as required by current zoning codes. They have also requested a second Variance to allow the structure to be 25 feet in height as opposed to the required height limit of 14 feet. With the addition of the copula to the top of the structure we estimate the overall height to be 27 feet tall.

As the across the street neighbors of the Diffenderffers, we are appalled that they would proceed without consulting their neighbors. Since the required sign has gone up we have attempted to contact Mr. and Mrs. Diffenderfer to discuss their proposed construction. To date, they have not returned phone calls. We have very serious concerns about the structure being proposed and oppose their request for these Variances and strongly encourage the Zoning Review Board to enforce the building codes as they exist. Recent experience with construction on other properties on Circle Road have led us to believe that these codes are extremely important. Development of Circle road outside variance codes affects not just us, but the whole neighborhood. We had what amounted to a boardinghouse developed at 1861 Circle Rd. which is currently being worked out via a Baltimore County Code Enforcement Final Order.

We understand that current zoning laws do not allow construction of a "structure" such as this anywhere other than behind a home or attached to a home. Current zoning laws also do not allow an "accessory structure" to be more than 14 feet in height.

We are concerned that this "structure" disguised as a garage addition is really a small house – complete with two plus stories and plumbing. The notion that the Diffenderffers are putting in a second floor exercise room that has plumbing and so forth raises suspicion as to the true intent.

PROTESTANT'S
EXHIBIT NO. 8

PETITIONER'S
EXHIBIT NO. 34-9


B





E



F












N





K









Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1)
BALTIMORE COUNTY

Account Identifier: District - 09 Account Number - 1900003334

Owner Information

Owner Name:	DIFFENDERFFER ROSS B,JR DIFFENDERFFER CHRISTINE O	**Use:**	RESIDI
		Principal Residence:	YES
Mailing Address:	1854 CIRCLE RD BALTIMORE MD 21204-6415	**Deed Reference:**	1) / 63€ 2)

Location & Structure Information

Premises Address
1854 CIRCLE RD

Legal Description
40162 SQ FT 0.922 AC
ONNEN PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat N
69	15	1146					1	2	Plat F

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

Primary Structure Built	Enclosed Area	Property Land Area	County
1983	3,662 SF	.92 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	349,600	349,600		
Improvements:	461,440	379,700		
Total:	811,040	729,300	811,040	729,300
Preferential Land:	0	0	0	0

Transfer Information

Seller:	DIFFENDERFFER ROSS B,JR	**Date:**	02/09/1982	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 6368/ 205	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

1854 Circle Road 2011-0197-A

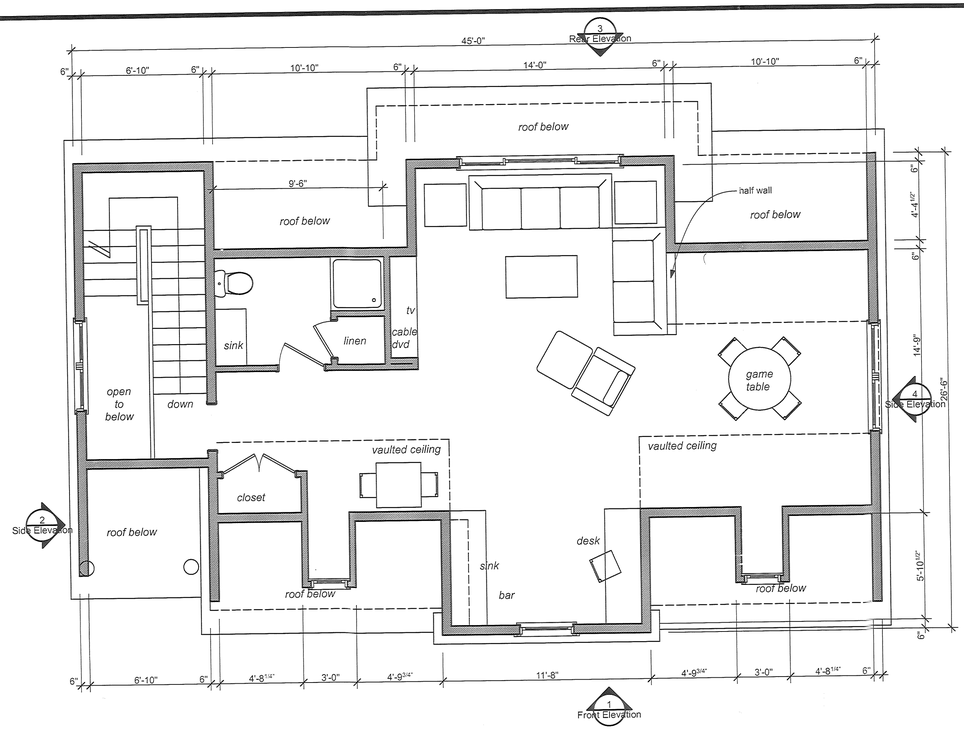


DQ Map Notes

Publication Date: December 20, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

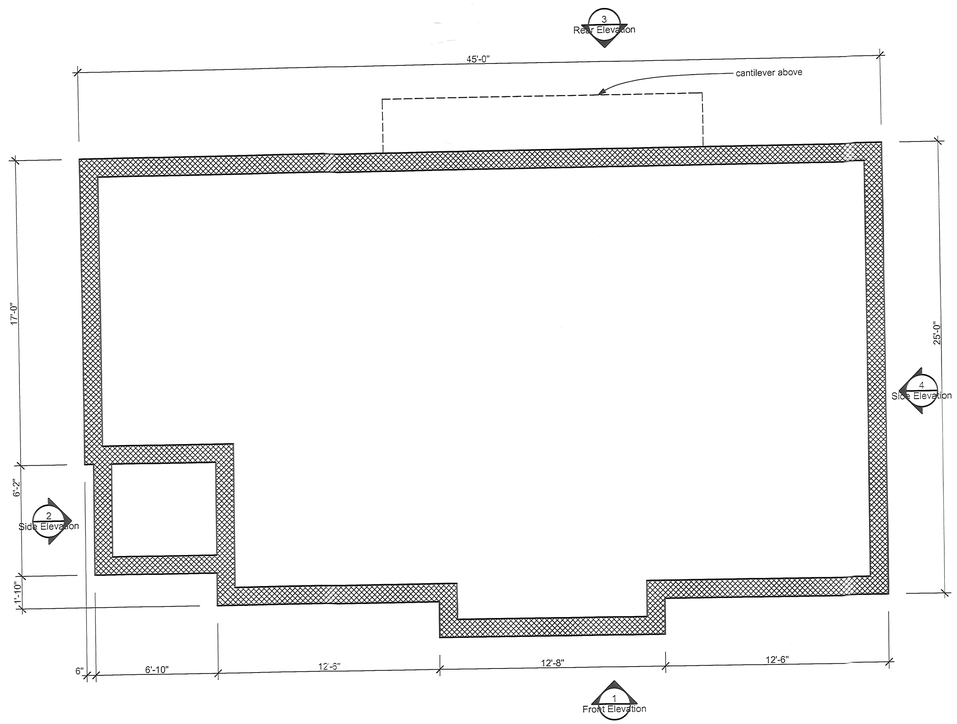
0 100 200 Feet

1 inch = 100 feet



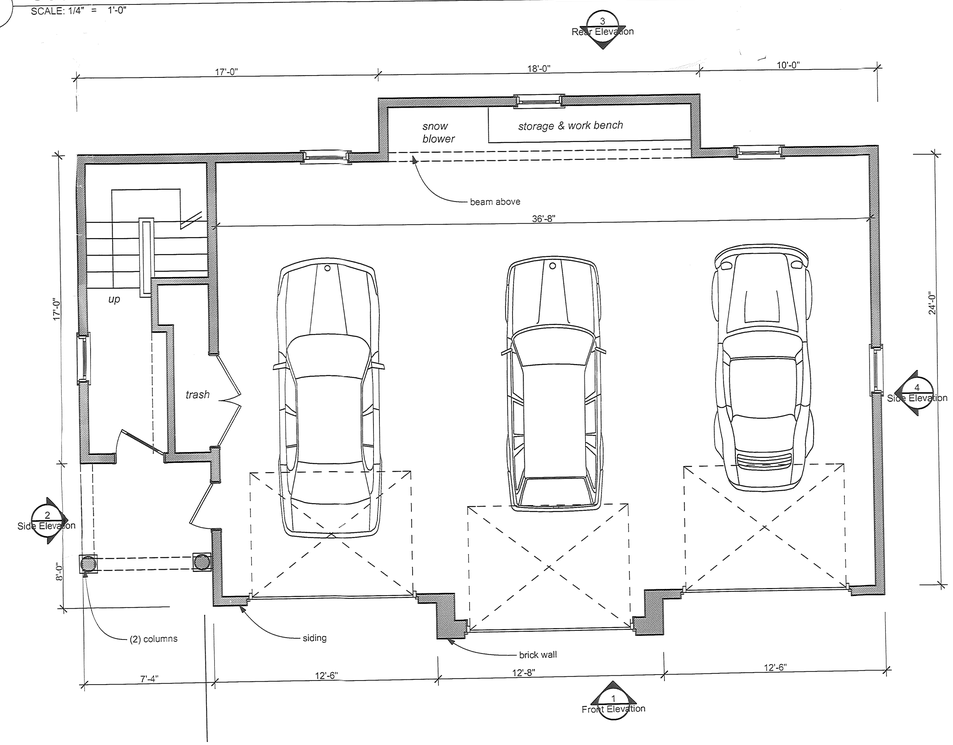
3 Second Floor Plan

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



2 Fouation Plan

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



1 First Floor Plan

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

ARCHITECTS

1777 Reisterstown Road
Suite 118
Baltimore, MD 21208

410.486.0253
(fax) 410.486.0256
peter@2e-architects.com

CONSULTANTS

THE ARCHITECT CERTIFIES TO THE BEST OF ITS KNOWLEDGE AND BELIEF THAT THE INFORMATION SHOWN ON THE DRAWINGS IS CORRECT. HOWEVER THIS DOCUMENT CANNOT BE RELIED UPON FOR LEGAL OR OTHER PROTECTIONS NORMALLY ASSOCIATED WITH FULL ACHITECTURAL DOCUMENTATION AND SERVICE AND AIA AGREEMENTS. THE SOLE PURPOSE OF THESE DRAWINGS IS TO DESCRIBE DESIGN INTENT AND PROVIDE THE MINIMUM INFORMATION REQUIRED TO OBTAIN A BUILDING PERMIT. IN NO WAY ARE THEY MEANT TO REPRESENT COMPLETE DESIGN, CONSTRUCTION OR CONTRACT DOCUMENTS. THE OWNER ACCEPTS FULL RESPONSIBILITY FOR THE USE OF THESE DRAWINGS BEYOND THE PURPOSE STATED HEREIN. THE CONTRACTOR SHALL BE SOLEY RESPONSIBLE FOR THE WEATHERTIGHTNESS AND COMPLIANCE WITH ALL STRUCTURAL AND CODE REQUIREMENTS AS THEY PERTAIN TO CONSTRUCTION BASED ON THE INFORMATION SHOWN HERE. ANY ADDITIONAL STRUCTURAL INFORMATION OR DETAILS NOT SHOWN ON THE DRAWINGS, NECESSARY FOR A COMPLETE, SOUND CONSTRUCTION SHALL BE DESIGNED AND SPECIFIED BY A LICENSED STRUCTURAL ENGINEER BEFORE INSTALLATION.

Diffenderffer Residence

1854 Circle Road
Towson MD 21204-6415

DESIGN DEVELOPMENT

7.January.2011
1016

MARK	DATE	DESCRIPTION
	/ /	

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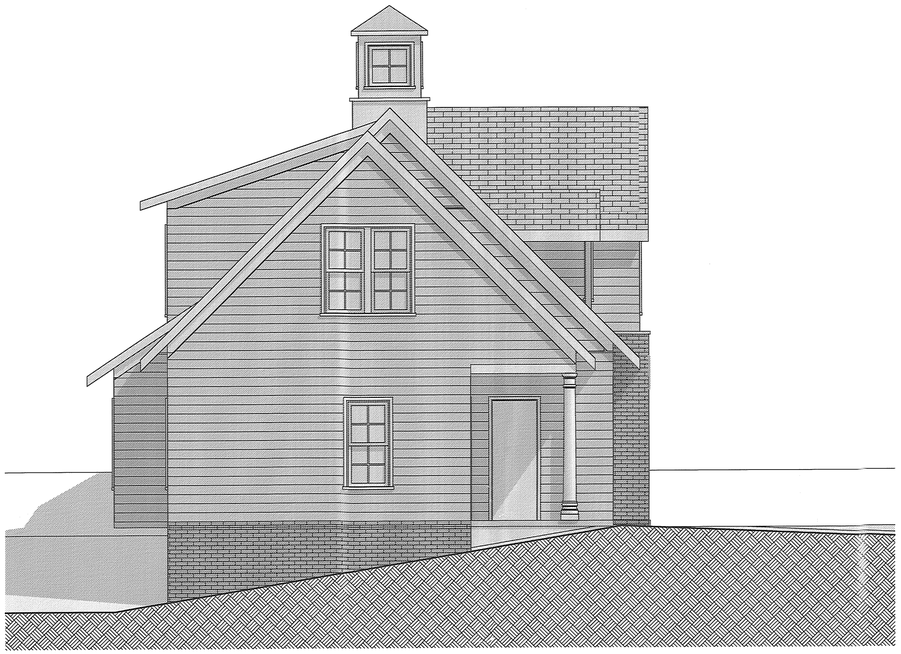
SHEET TITLE

Floor Plans

01

SHEET 1 OF 4

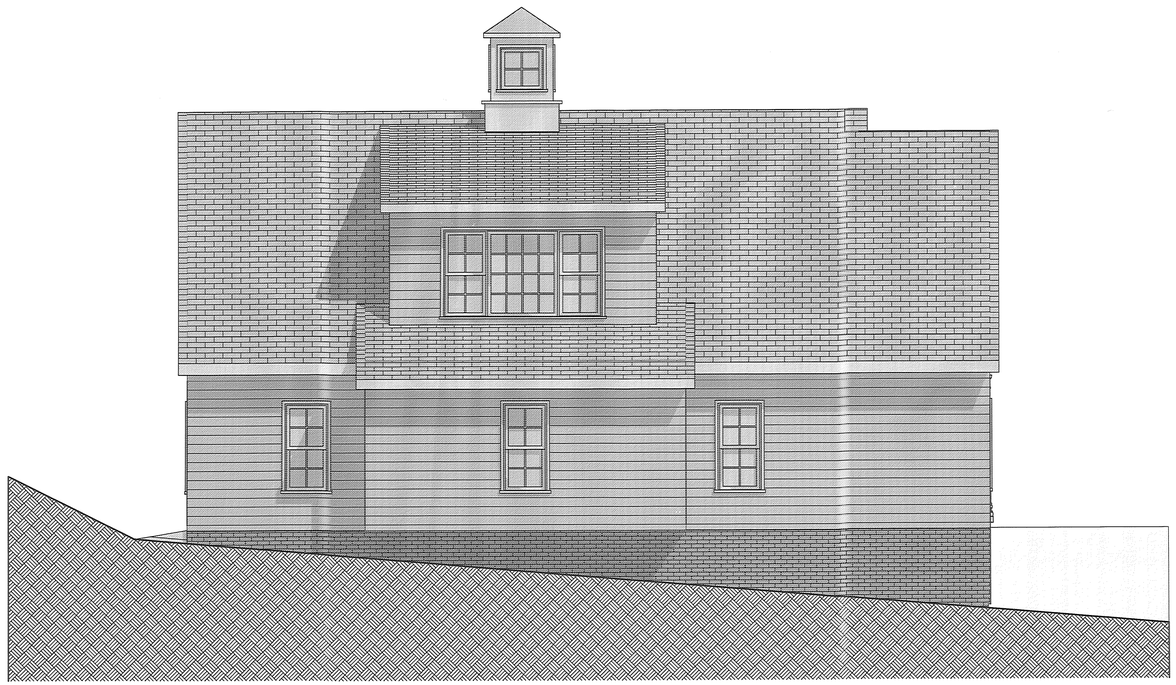
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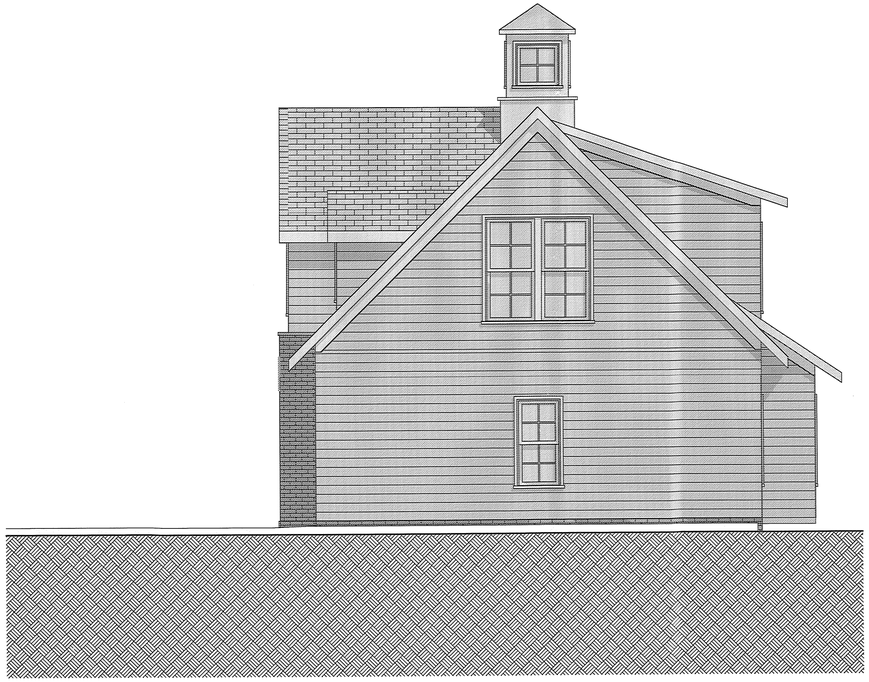
2 Side Elevation
SCALE: 1/4" = 1'-0"



1 Front Elevation
SCALE: 1/4" = 1'-0"



3 Rear Elevation
SCALE: 1/4" = 1'-0"



4 Side Elevation
SCALE: 1/4" = 1'-0"

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Diffenderffer Residence

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Towson MD 21204-6415

DESIGN DEVELOPMENT

7.January.2011
1016

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	/ /	

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SHEET TITLE

Elevation & Section - Stone

02

SHEET 2 OF 4

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1 View from Front of Garage
SCALE: 1/4" = 1'-0"

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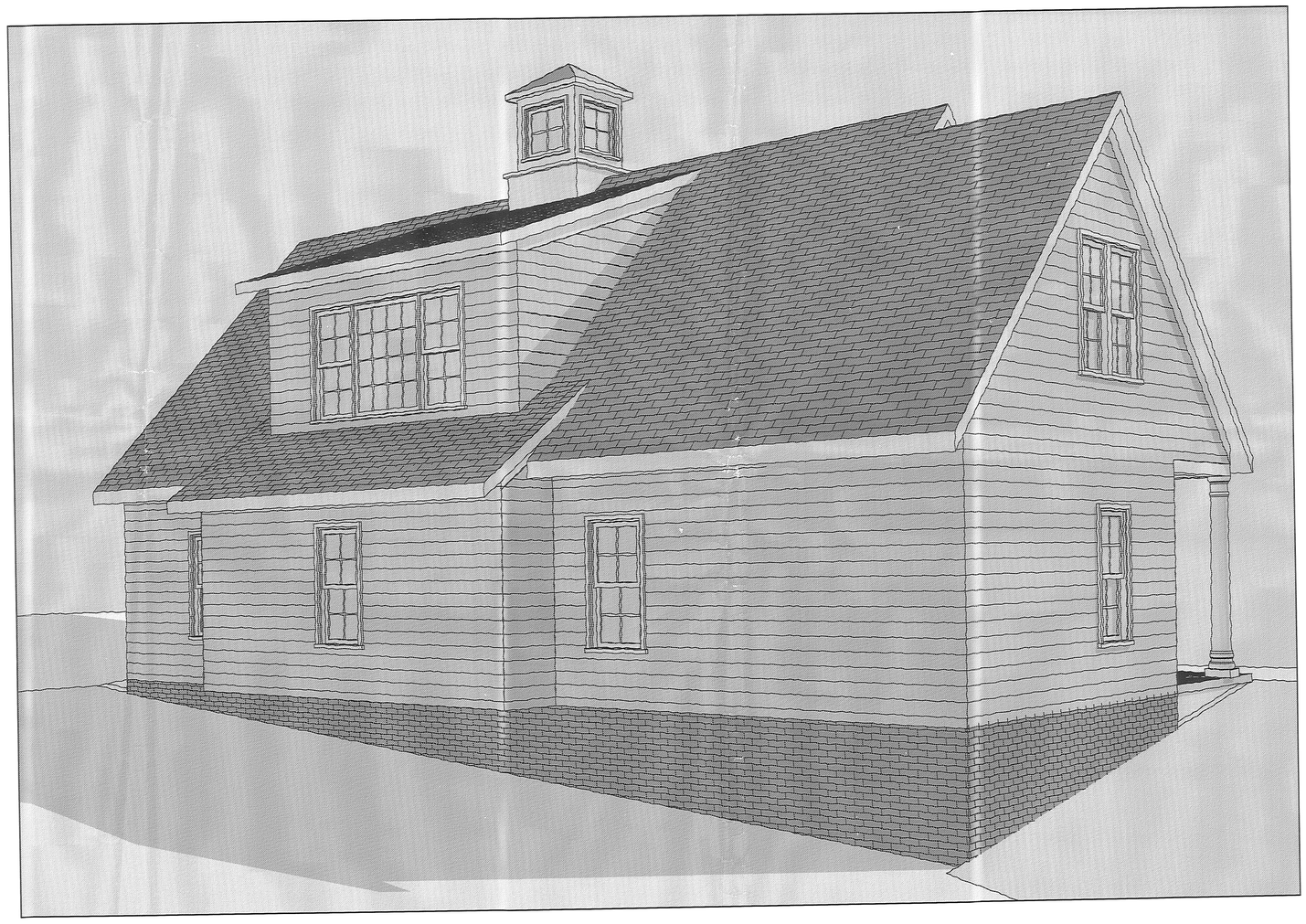
SHEET TITLE

Exterior Perspective

03

SHEET 3 OF 4

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1 View from Back of Garage
SCALE: 1/4" = 1'-0"

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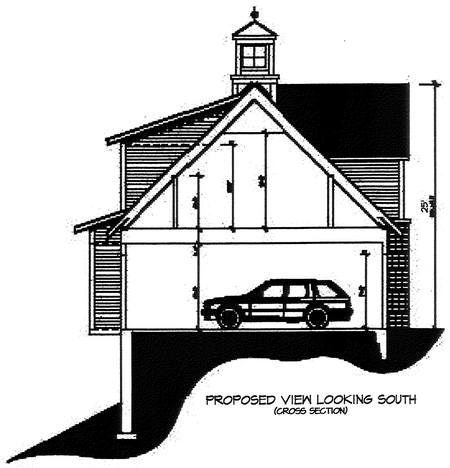
SHEET TITLE

Exterior Perspective

04

SHEET 4 OF 4

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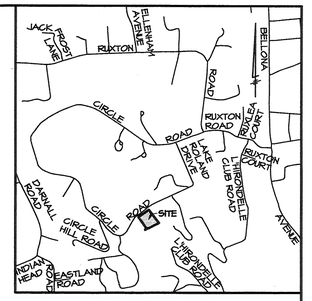


PROPOSED VIEW LOOKING SOUTH
(CROSS SECTION)



PROPOSED VIEW LOOKING EAST

ELEVATIONS
NOT TO SCALE

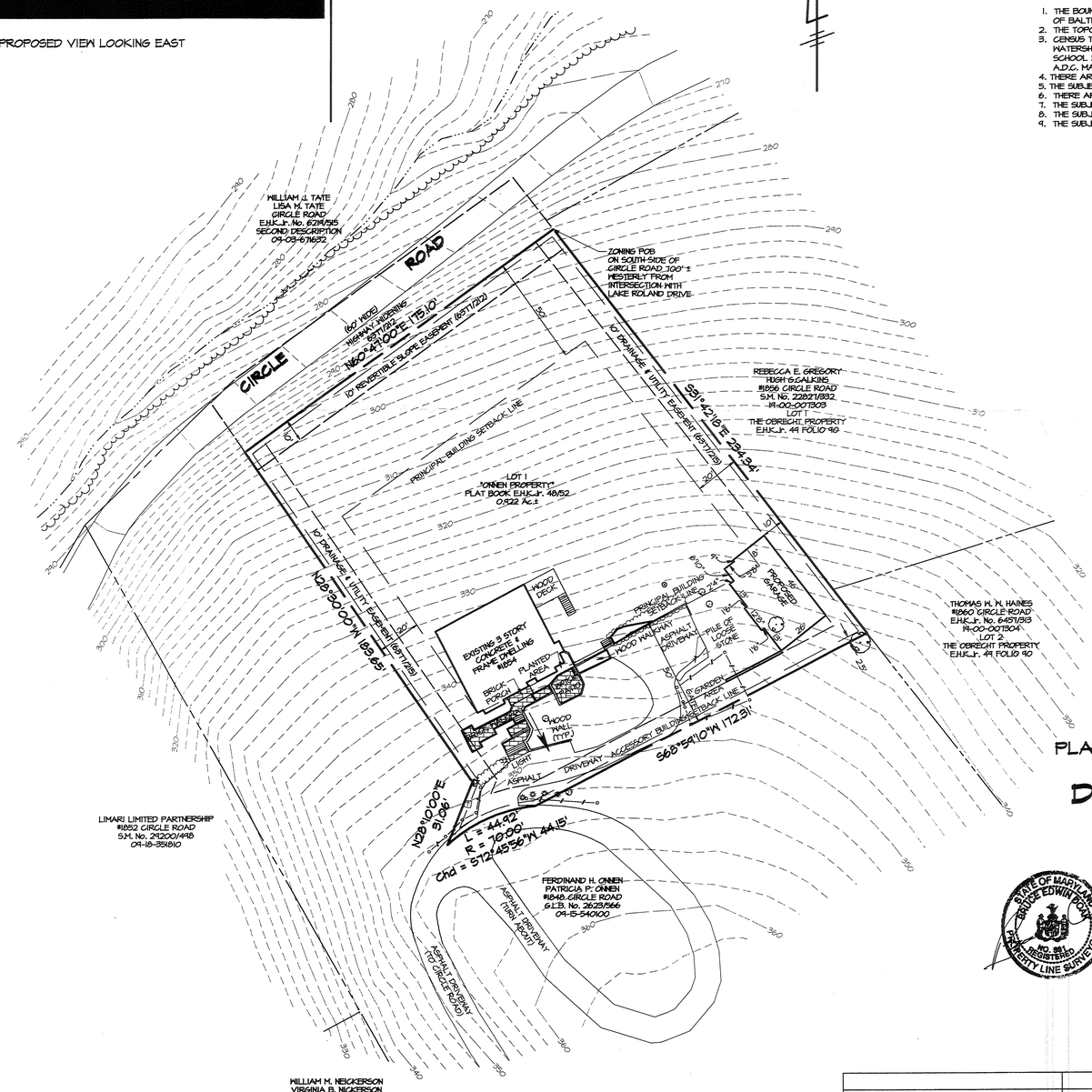


VICINITY MAP
1" = 1000'

DEED MERIDIAN

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEEDS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 069B2.
3. CENSUS TRACT 440400 REGIONAL PLANNING DISTRICT 314
   WATERSHED JONES FALLS SUBSEWERSHED 56
   SCHOOL DISTRICT: ELEMENTARY - RIDERWOOD E.S., MIDDLE - DUMBARTON M.S., HIGH - TOWSON H.S.
   A.D.C. MAP & GRID 26 G7
4. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
6. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
8. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
9. THE SUBJECT PROPERTY SHOWN HEREON IS TO BE SERVED BY PUBLIC WATER AND PRIVATE SEPTIC SYSTEMS.



PETITIONER'S
EXHIBIT NO. 1

PETITION FOR VARIANCE

SECTION 400.1
TO ALLOW AN ACCESSORY STRUCTURE (DETACHED GARAGE) IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD.

SECTION 400.3
TO ALLOW AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO HAVE A HEIGHT OF 25 FEET PLUS A CUPOLA IN LIEU OF THE REQUIRED 15 FEET MAXIMUM.

D.R. 1 BUILDING SETBACKS

MINIMUM NET LOT AREA PER DWELLING UNIT (sq. ft.)	40,000
MINIMUM LOT WIDTH (feet)	150
MINIMUM FRONT YARD DEPTH (feet)	50
MINIMUM WIDTH OF INDIVIDUAL SIDE YARD (feet)	20
MINIMUM SUM OF SIDE YARD WIDTHS (feet)	50
MINIMUM REAR YARD DEPTH (feet)	50

DENSITY CALCULATIONS

GROSS AREA	0.922 Ac.±
HIGHWAY WIDENING	0 Ac.±
NET AREA	0.922 Ac.±
LOTS PERMITTED	1 LOT PER Ac. @ 0.922 Ac. = 1 Lot
LOTS PROPOSED	1 EXISTING LOT

OWNERS

ROSS B. DIFFENDERFFER
CHRISTINE O. DIFFENDERFFER
1854 CIRCLE ROAD
BALTIMORE, MARYLAND 21204
(410)-246-2475

CASE #2011-0197-A
PLAN TO ACCOMPANY PETITION FOR VARIANCES ON THE
DIFFENDERFFER PROPERTY

#1854 CIRCLE ROAD
Deed Ref: E.H.K.,Jr. No. 6368 folio 205
E.H.K.,Jr. No. 6357 folio 496
Tax Account No.: 19-00-003334
Zoned D.R. 1; GIS Tile 069B2
Tax Map 69; Grid 15; Parcel 1146
9th ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

STATE OF MARYLAND
BRUCE EDWIN DORR
NO. 867
REGISTERED
PROPERTY LINE SURVEYOR
12/20/10

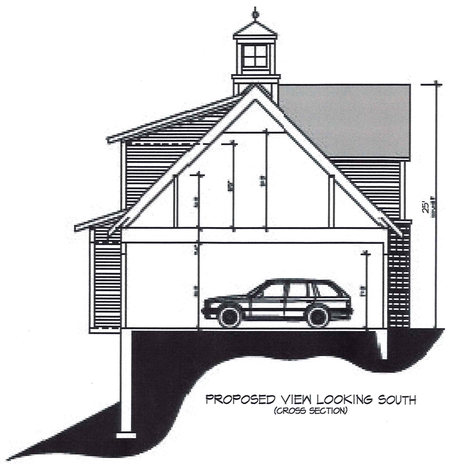
Scale: 1"=30' Date: DECEMBER 14, 2010

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

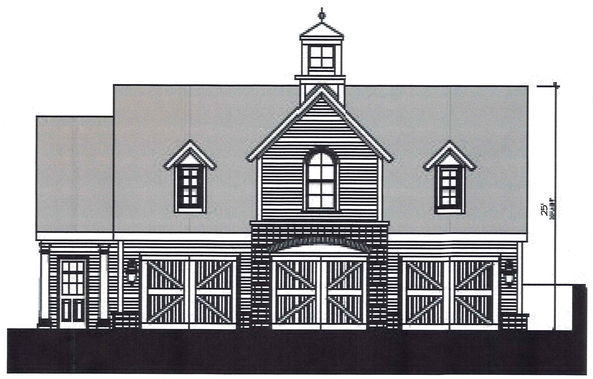
ZONING CASE NUMBER ADDED	12/20/10
REVISION	DATE

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2011-0197-A

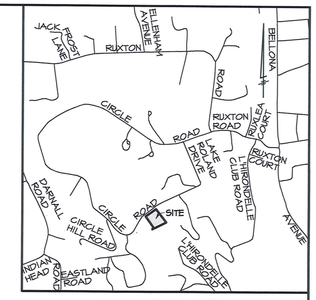


PROPOSED VIEW LOOKING SOUTH
(CROSS SECTION)



PROPOSED VIEW LOOKING EAST

ELEVATIONS
NOT TO SCALE

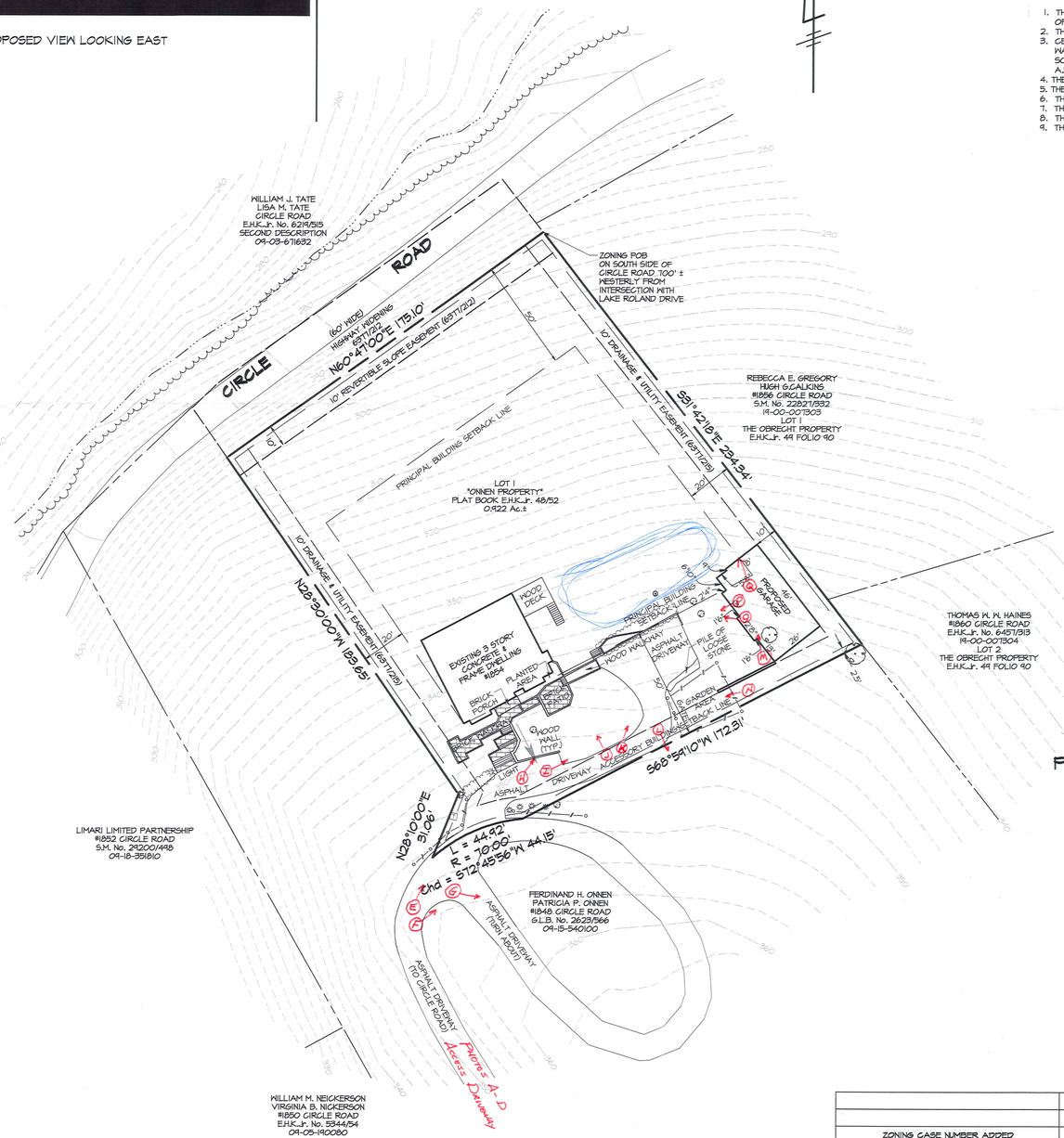


VICINITY MAP
1" = 1000'

DEED MERIDIAN

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2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 064B2.
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   SCHOOL DISTRICT; ELEMENTARY - RIDERWOOD E.S., MIDDLE - DUMBARTON M.S., HIGH - TOWSON H.S.
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OWNERS
ROSS B. DIFFENDERFFER
CHRISTINE O. DIFFENDERFFER
1854 CIRCLE ROAD
BALTIMORE, MARYLAND 21204
(410)-296-2475

PETITION FOR VARIANCE

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SECTION 400.3
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DENSITY CALCULATIONS

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LOTS PROPOSED	1 EXISTING LOT

Plan to Accompany Photographs

CASE #2011-0197-A
PLAN TO ACCOMPANY PETITION FOR VARIANCES ON THE
DIFFENDERFFER PROPERTY

#1854 CIRCLE ROAD
Deed Ref: E.H.K.,Jr. No. 6368 folio 205
E.H.K.,Jr. No. 6357 folio 496
Tax Account No.: 19-00-003334
Zoned D.R. 1; GIS Tile 069B2
Tax Map 69; Grid 15; Parcel 1146
9th ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30' Date: DECEMBER 14, 2010

REVISION	DATE
ZONING CASE NUMBER ADDED	12/20/10

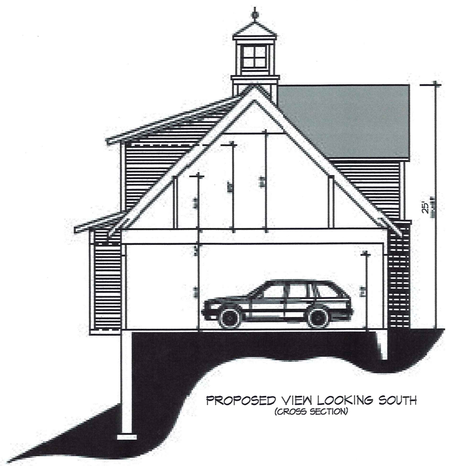
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GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

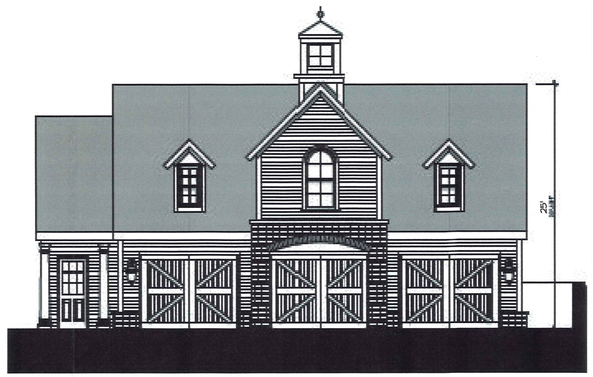
PETITIONER'S
EXHIBIT NO. 2



PROTESTANT'S



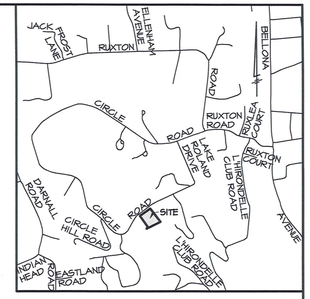
PROPOSED VIEW LOOKING SOUTH
(CROSS SECTION)



PROPOSED VIEW LOOKING EAST

ELEVATIONS
NOT TO SCALE

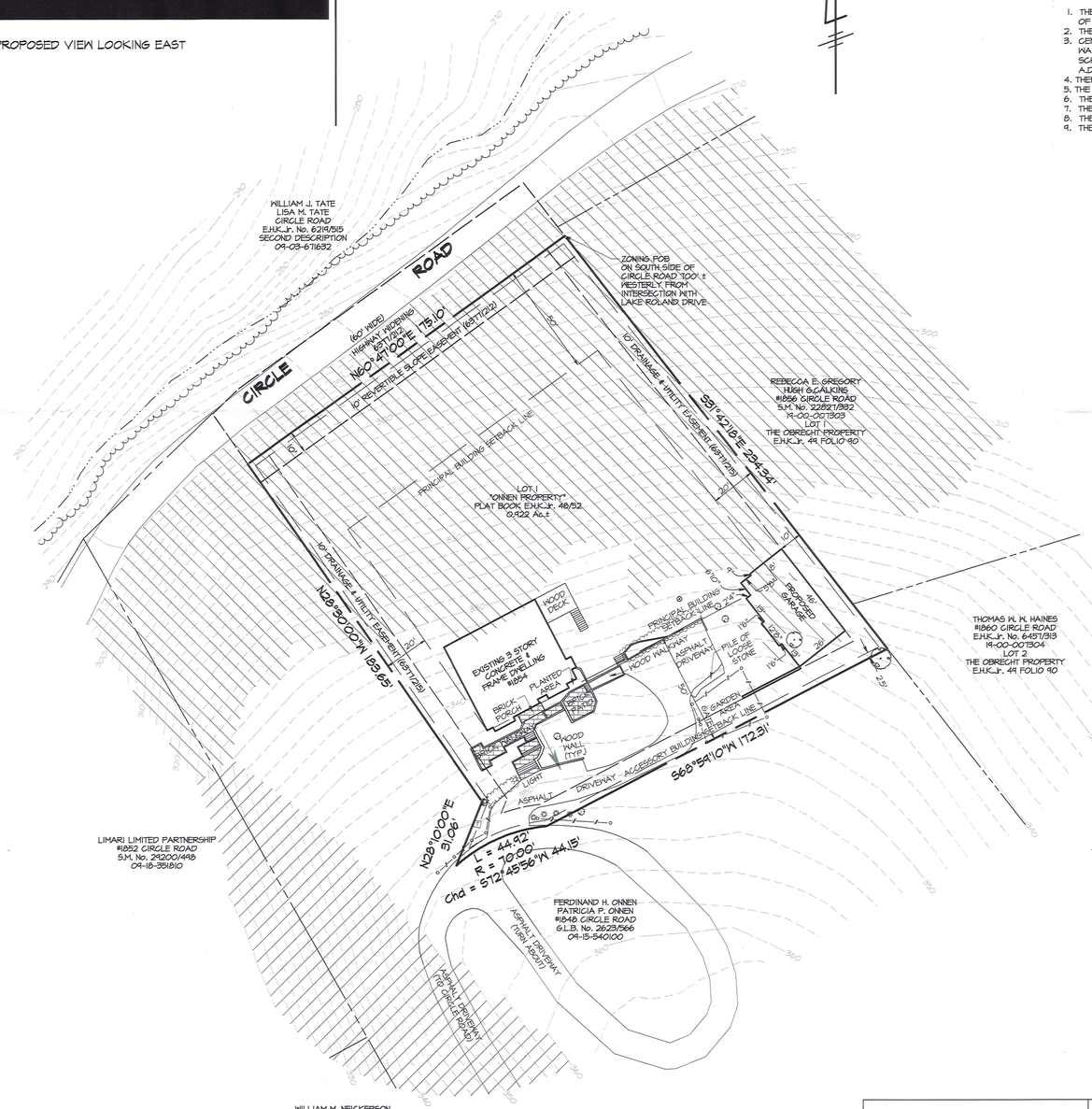




VICINITY MAP
1" = 1000'

GENERAL NOTES

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PLAN SHOWING SLOPES GREATER THAN 27.5% ON THE DIFFENDERFFER PROPERTY

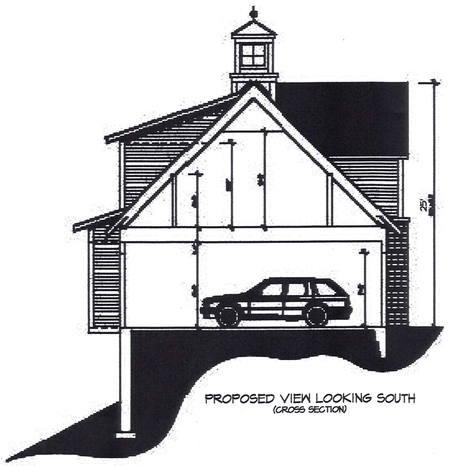
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Scale: 1"=30' Date: JANUARY 14, 2011

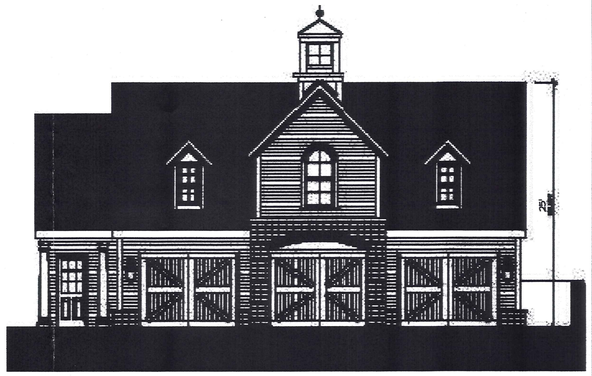
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ZONING CASE NUMBER ADDED	12/20/10				

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PETITIONER'S
EXHIBIT NO. 4

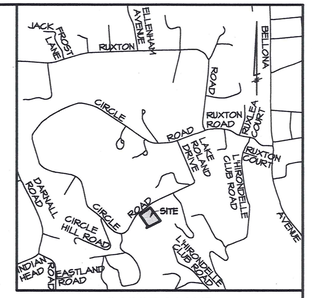


PROPOSED VIEW LOOKING SOUTH
(CROSS SECTION)



PROPOSED VIEW LOOKING EAST

ELEVATIONS
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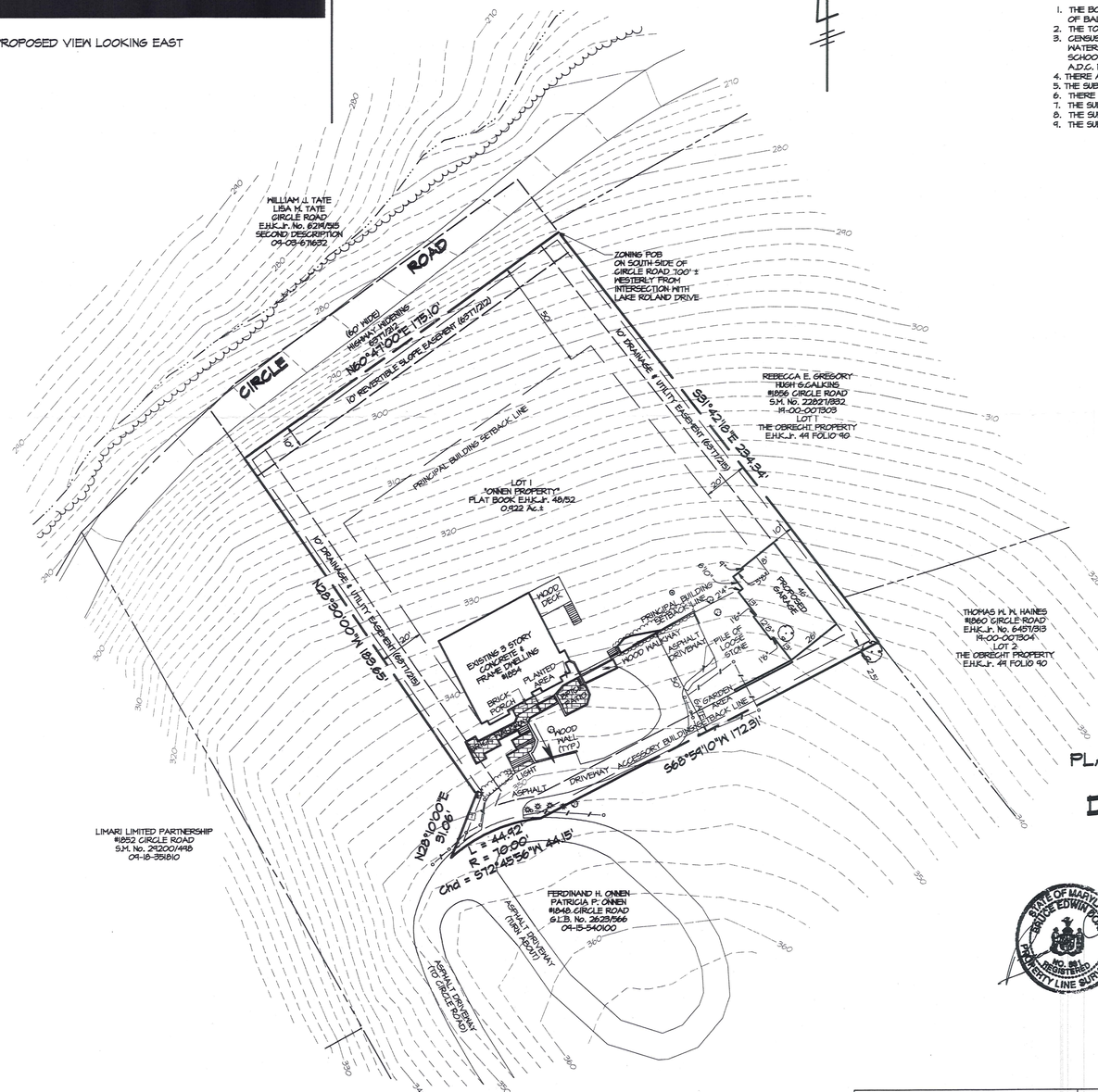


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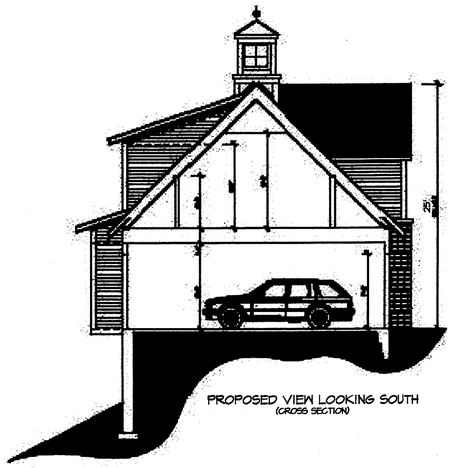
STATE OF MARYLAND · BRUCE EDWIN POND · No. 884 · REGISTERED PROPERTY LINE SURVEYOR

12/20/10

Scale: 1"=30' Date: DECEMBER 14, 2010

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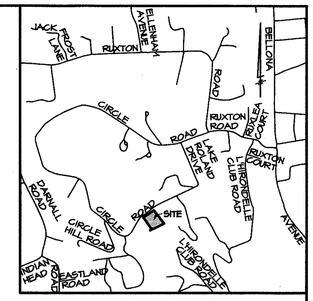


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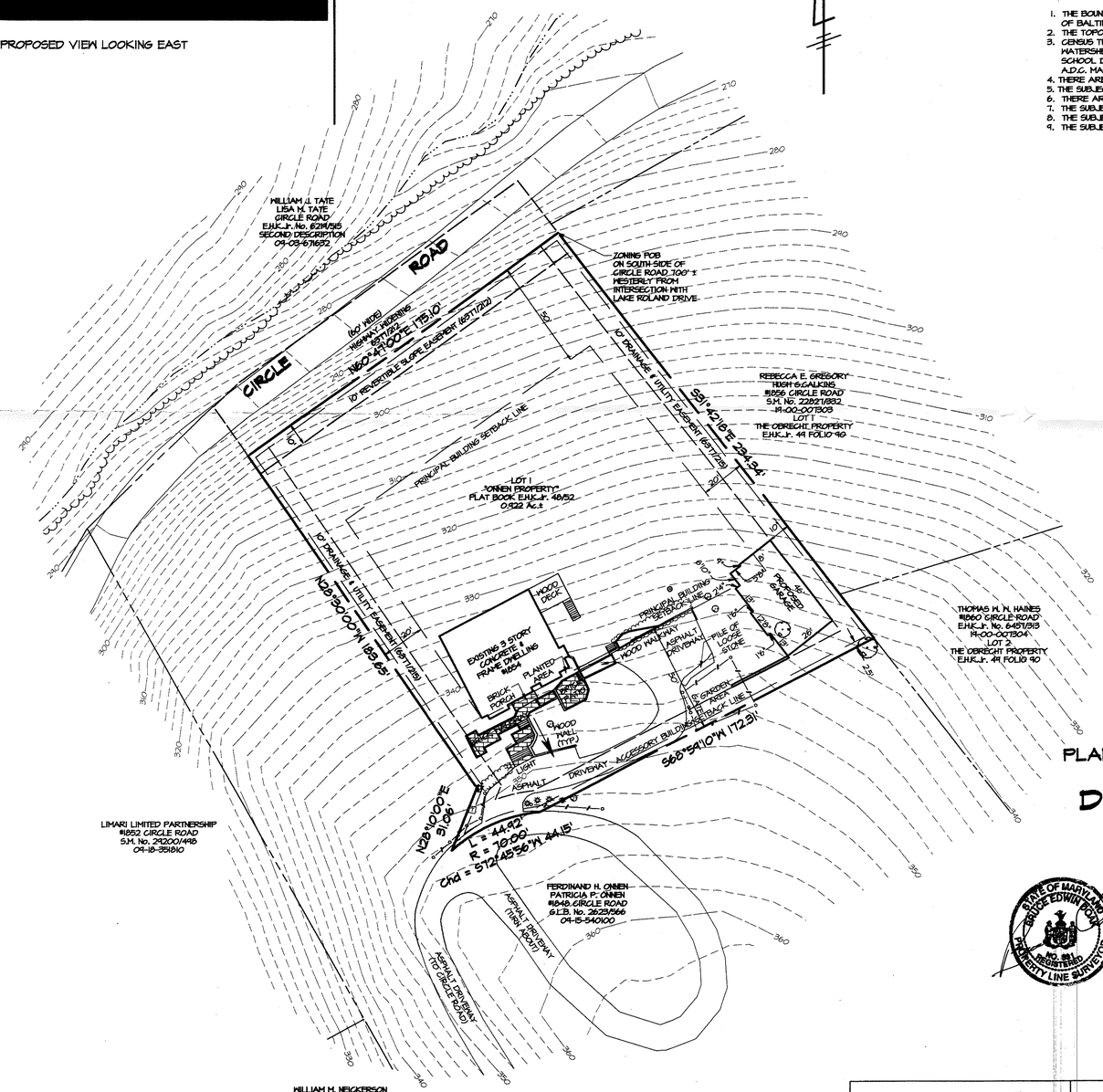


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