

A Code Inspections and Enforcement Correction Notice was issued to the Petitioners on June 27, 2011, to eliminate the illegal rooming/boarding house. Hence, Petitioners filed the instant special hearing request.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. Comments were received from the Office of Planning, received September 21, 2011, which indicate:

The property in question is a five-bedroom rental house that is currently housing four tenants in three out of the five bedrooms. The Office of Planning does not oppose the existing arrangement of four tenants in three bedrooms but will not support any additional tenants or bedrooms to be allowed for the following reasons:

1. Upon site review, the driveway and parking pad are not large enough to park more than three cars comfortably. The existing trees would also make it difficult to provide additional parking in the rear and side yards.
2. Any additional on street parking would further restrict a narrow two-way street into a one-way street.
3. Because the petitioner has not obtained a residential occupancy permit or Rental Housing License.

There were no other comments received from any of the County reviewing agencies.

Testimony and evidence revealed that the subject property is 18,245 square feet and is zoned D.R.3.5.

Contract purchaser, Catherine Wanveer, testified that she moved into the subject 5-bedroom property in July, 2012. At the time, she lived there with her 22-year old son as well as another single woman and child. When that other tenant was forced to leave, Mrs. Wanveer was faced with paying the entire rent. She was unable to do so and decided to take in boarders to provide additional funds. Two unrelated males took up separate residence along with Mrs. Wanveer and her son. Young Mr. Wanveer and one of the other male residents apparently have

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Date

10-5-11

By

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girlfriends who are frequently on the premises, take many meals there, and are often overnight guests. Together they all pay the mortgage and Mrs. Wanveer's son pays the Baltimore Gas & Electric bill. There are 2-1/2 bedrooms in the house as well as an eat-in-kitchen used by all. There are no leases for either additional tenants and the witness stated that she wasn't aware of the County code requirements or the alleged violation until objections by the neighbors resulted in the issuance of the citation for an illegal rooming/boarding house. Mrs. Wanveer notes that she believes that the property is otherwise Code compliant and well kept, both inside and out. She also notes that there is a fire escape from each separate bedroom.

Under cross-examination, the witness confirmed that she is asking for four tenants, although she agrees that three times or more per week the girlfriends stay over, raising the number sleeping in the building to five or six people who, with the exception of herself and her son, are not related to each other. She also agreed that she is not functioning as a manager of the property and concluded her testimony by stating that she was forced to bring in the additional boarders because she was physically unable to work three jobs to pay the rent. She is currently employed as is her son and both unrelated tenants.

The owner of the property, Richie McCall, testified that she and her husband (now deceased) bought the subject property in 1975. She stated that she was not motivated or intending for the subject property to be a traditional rooming house, but rather just as an expedient way to assist Mrs. Wanveer in paying the rent. Under cross examination, it was learned that Mrs. McCall owns four rental properties and has run the business since her husband's death two years ago. She employs a property manager who looks after maintenance issues as needs arise. She acknowledges that the property is not presently in compliance with County law as to the number of residents and that she would not have rented the property to Mrs.

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Date

10-5-11

By

DB

Wanveer alone, but wants to help her stay there. She notes that the property has been checked for lead and has new windows and a renovated kitchen. She concluded with an "assurance" that when Mrs. Wanveer would in the future vacate, she would look "next" for a family, would not rent to students, and would seek tenants who would take care of the property.

Robert Fritzges, who lives in the adjoining property (8810 Littlewood Road) since 2008, testified that he had no objection to the Petitioners' request. He described his positive relationship with the residents and confirmed that the non-resident girlfriends are there "about every day".

Mark Preston, who resides at 8815 Littlewood Road across from the subject site, was the first of several community witnesses testifying in opposition to the Petitioners' request. He related that he and his wife moved into their home in 1994. He is concerned generally with the lack of stability and continuity of commitment to the community of renters, but more so in a "rooming house" setting. He described what he referred to as a quiet residential neighborhood in a park like setting and believes that the Petitioners' request is truly contrary to the philosophy of the developer for this community. He further believes that the petition undermines the community itself and, if successful, could see other owners follow suit; resulting in a downward spiral of the home values in the neighborhood.

Mike Beegan, President of the Cromwood Coventry Community Association, testified that he has lived in the area for 14 years. He fears more traffic and believes that allowing a "rooming house" is harmful to maintaining a strong community. He noted that in a recent general meeting of the association, sentiment against the petition was clear and overwhelming. He submitted a number of petitions against the requested use signed by various residents of the community (Petitioners' Exhibit 1).

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By 103

Charles Sharp, a resident of the community for 21 years, shares in the short and long term concerns for the neighborhood voiced by other members of the community. While he understands Mrs. Wanveer's financial situation, he does not believe her solution is a good one for the community.

Philip Roby, a 12-year resident, is primarily concerned about setting a precedent that would be followed by others, creating more "absentee" owners.

Elizabeth Collier, who lives on Littlewood Road, believes that at least five people live at the subject property. She is concerned about home values if more transient residents are allowed.

Likewise, Merrie Crawford, residing at 8814 Littlewood Road for 27 years, complains about the noise of additional motor vehicles to and from the subject property.

Paul S. Hartman, representing the Greater Towson Council of Community Associations, consisting of 30 community associations, related his organization's concerns about rentals and rooming houses in the Towson area and in general. He does note that a family in a long-term rental differs greatly from the multiple unrelated setting of a rooming house. He is concerned nevertheless about setting a bad precedent, especially in the Towson area.

Section 408B.1.A.2.e of the Baltimore County Zoning Regulations (B.C.Z.R.) states in

pertinent part:

"e. Following the public hearing, the Zoning Commissioner (now Administrative Law Judge) may either deny or grant a use permit conditioned upon:

- (1) Findings following the public hearing.
- (2) The character of the surrounding community and the anticipated impact of the proposed use on that community.
- (3) The manner in which the requirements of this section and Section 502.1 and other applicable requirements are met and any additional requirements as

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Date

10-5-11

By

03

deemed necessary by the Zoning Commissioner (now Administrative Law Judge) in order to ensure that the use will not be detrimental to the health, safety or general welfare of the surrounding community and as are deemed necessary to satisfy the objectives of this section and Section 502.1 of these regulations." (Emphasis Added)

Subsection 3 above refers to meeting the requirements set forth in B.C.Z.R. Section 502.1. Those requirements state that a request such as that made by the Petitioners will not be approved unless there is a showing that the request will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 Zone.

It is easy to empathize with Petitioners' financial plight. Zoning regulations however are in place to protect neighborhoods and the citizens living in them. The requirements that the Petitioners must meet in order to obtain their requested relief are clear and are unambiguous. I

ORDER RECEIVED FOR FILING

Date 10-5-11

By [Signature]

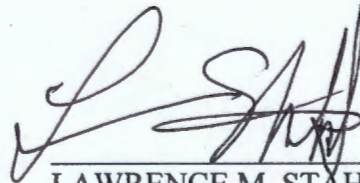
find that Petitioners have not addressed, let alone met the requirements of Section 502.1 of the B.C.Z.R. as they relate to this request. I further find that the short term as well as the long term effects of the surrounding neighborhood of granting Petitioners' request would be detrimental to the community, contrary to and inconsistent with the spirit and intent of the County zoning regulations.

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

THEREFORE, IT IS ORDERED, this 5TH day of October, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief from Section 408.B1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a Use Permit for a rooming house (4 tenants expected to live on the property), be and is hereby DENIED.

IT IS FURTHER ORDERED that the Code Inspection and Enforcement Division of the Department of Permits, Approvals and Inspections (PAI) shall, upon inspection of the property, take those steps necessary to ensure compliance with the Baltimore County Code and regulations.

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



LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date

10-5-11

By

103



KEVIN KAMENETZ
County Executive

October 5, 2011

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

Richie Dare S. McCall
5012 New Forge Road
Perry Hall, Maryland 21128

Catherine J. Wanveer
8812 Littlewood Road
Parkville, Maryland 21234

RE: PETITION FOR SPECIAL HEARING

S/S of Littlewood Road; 57' W of Haverhill Road
(8812 Littlewood Road)

Richie Dare S. McCall, *Legal Owner*;

Catherine J. Wanveer, *Contract Purchaser* - Petitioners

CASE NO. 2012-0044-SPH

Dear Ms. McCall and Ms. Wanveer:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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

Very truly yours,

A handwritten signature in black ink, appearing to read "L. Stahl".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: Robert Fritzges, 8810 Littlewood Road, Parkville, MD 21234
Mark Preston, 8815 Littlewood Road, Parkville, MD 21234
Mike Beegan, President, Cromwood Coventry Community Association,
8731 Littlewood Road, Parkville, MD 21234
Charles Sharp, 8744 Oakleigh Road, Baltimore, MD 21234
Philip Roby, 8720 Littlewood Road, Parkville, MD 21234
Elizabeth Collier, 8819 Littlewood Road, Parkville, MD 21234
Merrie Crawford, 8814 Littlewood Road, Parkville, MD 21234
Paul S. Hartman, Greater Towson Council of Community Associations,
18 ½ Cedar Avenue, Towson, MD 21286
Code Enforcement Division, PAI

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468
www.baltimorecountymd.gov

VIOLATION CASE # 95-08

95628



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8812 Littlewood Rd
which is presently zoned DR 3.5

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

a use permit for a rooming house pursuant to Section 408, B, 1, BCZR.
(4 tenants expected to live on the property)

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:

Catherine J. Wanveer
Name - Type or Print
Catherine J. Wanveer
Signature
8812 Littlewood Rd 652-7190
Address Telephone No.
Parkville MD 21234
City State Zip Code

Legal Owner(s):

Richie Dare S. McCall
Name - Type or Print
Richie Dare S. McCall / Richie McCall
Signature
John Wesley McCall (Deceased)
Name - Type or Print
John Wesley McCall (personal representative)
Signature
5012 New Forge Rd
Address Telephone No.
Perry Hall MD 21128
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Same as above
Name
410-404-4922
Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 8/17/2011

Case No. 2012-0044-SPH

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 10-5-11

By [Signature]

Zoning Property Description For
8812 Little Road
Parkville MD 21234
09-09-02006020

BEGINNING for the same on the southernmost side of Littlewood Road at a point distant 220.00 feet measured westerly along said side of said road from the division line between Lots numbered 1 and 2 Block B as laid out on a plat of Coventry , Section 4, and recorded among the Plat Records of Baltimore County in Plat Book GLB No. 20 folio 53, running thence and binding on the southernmost side of Littlewood Road by a line curving toward the left on the northwest having a radius of 571.19 feet and a chord bearing North 81 degrees 11 minutes West 111.83 feet a distance of 112.01 feet thence leaving the road and running for a line of division now made South 2 degrees 41 minutes 10 seconds West 200.44 feet to intersect the South 71 degrees 17 minutes East outline of said Coventry, Section 4, at a point distant 87.36 feet southeasterly from the beginning of said line thence binding on a part of said outline of Coventry, Section 4, a distance of 34.08 feet, thence still on said outline South 72 degrees 52 minutes 10 seconds East 33 feet, thence for a line of division now made the two following courses and distances, viz: North 13 degrees 38 minutes 40 seconds East 132.50 feet and North 18 degrees 17 minutes 40 seconds East 79 feet to the place of beginning. Subject however, to the storm drain easement as laid out on said Plat of Coventry, Section 4, Being a part of Lot No. 3 and a part of Lot No. 4, Block B, laid out on the aforesaid Plat of Coventry, Section 4. The improvements thereon being know as No. 8812 Littlewood Road.

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2012-0044-SPH
8812 Littlewood Road
S/s Littlewood Road, 57 feet west of Haverhill Road
9th Election District
5th Councilmanic District

Legal Owner(s): Richie McCall, John McCall
Special Hearing: to permit a use permit for a rooming house pursuant to Section 408.B1 BCZR (4 tenants expected to live on the property).

Hearing: Thursday, September 22, 2011 at 10:00 a.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 Administrative Hearings Office at (410) 887-3868.

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

JT 09/612 Sept. 6 285581

CERTIFICATE OF PUBLICATION

_____ 9/8 _____, 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 9/6, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0044-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Richie McCall & John McCall

September 22, 2011

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

8812 Littlewood Road

September 7, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

 **September 8, 2011**

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

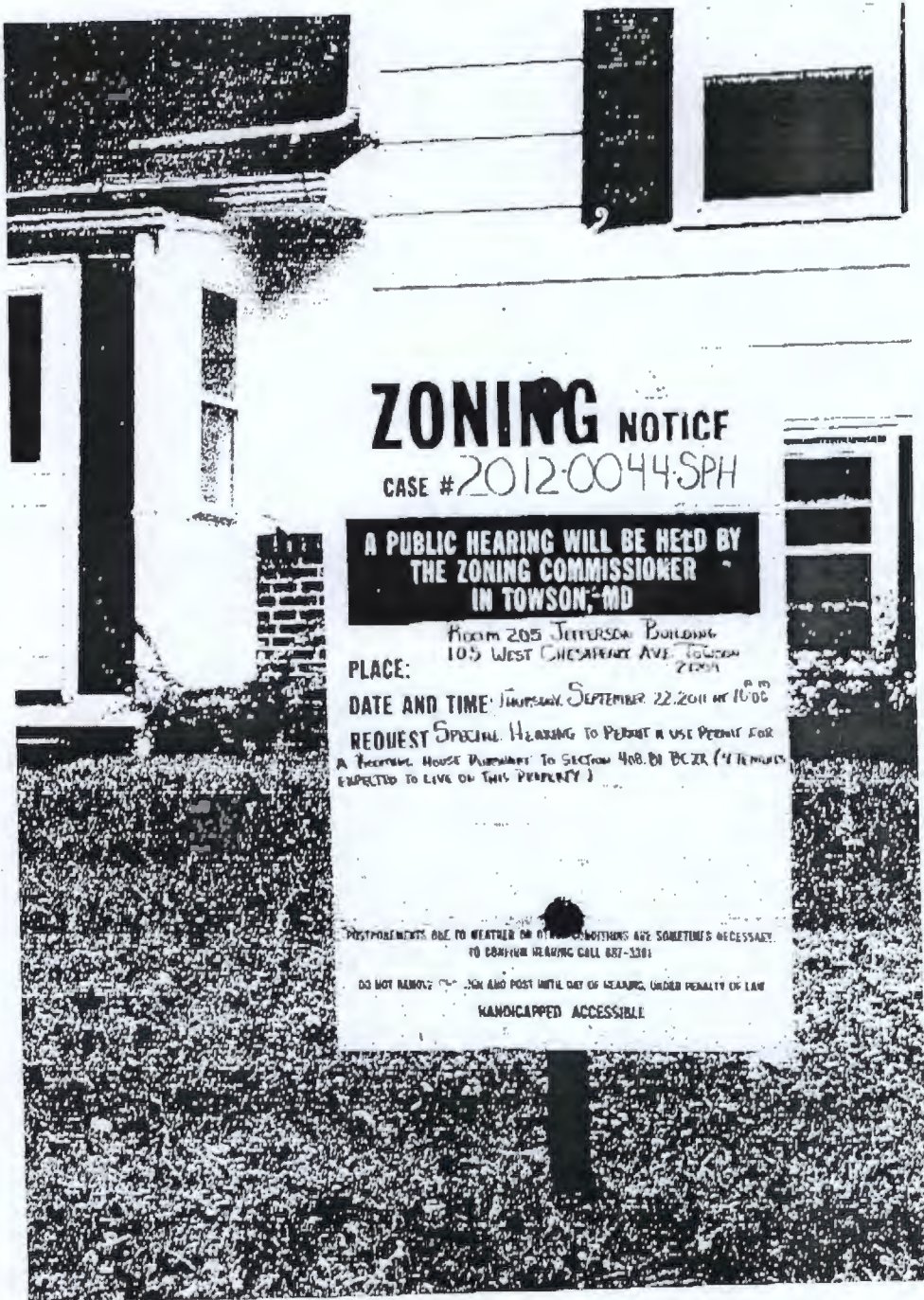
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ZONING NOTICE

CASE # 2012-0044-SPH

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

Room 205 Jefferson Building
105 West Chesapeake Ave. Towson
21286

PLACE:

DATE AND TIME: Thursday, September 22, 2011 at 10:00 AM

**REQUEST SPECIAL HEARING TO PERMIT A USE PERMIT FOR
A FREESTANDING HOUSE PURSUANT TO SECTION 408.01 BCZR (4 FAMILIES
EXPECTED TO LIVE ON THIS PROPERTY)**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 877-3301

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 6, 2011 Issue - Jeffersonian

Please forward billing to:
Cathy Wanveer
8812 Littlewood Road
Parkville, MD 21234

410-652-7190

NOTICE OF ZONING HEARING

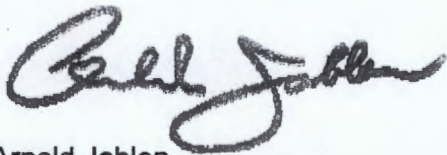
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CASE NUMBER: 2012-0044-SPH

8812 Littlewood Road
S/s Littlewood Road, 57 feet west of Haverhill Road
9th Election District – 5th Councilmanic District
Legal Owners: Richie McCall, John McCall

Special Hearing to permit a use permit for a rooming house pursuant to Section 408.B1 BCZR (4 tenants expected to live on the property).

Hearing: Thursday, September 22, 2011 at 10:00 a.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 ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

August 31, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0044-SPH

8812 Littlewood Road
S/s Littlewood Road, 57 feet west of Haverhill Road
9th Election District – 5th Councilmanic District
Legal Owners: Richie McCall, John McCall

Special Hearing to permit a use permit for a rooming house pursuant to Section 408.B1 BCZR (4 tenants expected to live on the property).

Hearing: Thursday, September 22, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Catherine Wanveer, 8812 Littlewood Road, Parkville 21234
Richie McCall, 5012 New Forge Road, Perry Hall 21128

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 7, 2011**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: ~~2012-0044-SPH~~ 2012-0044-SPH
Petitioner: Richie McCall & John McCall (property owners)
Address or Location: 8812 Littlewood Rd Parkville, MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: Cathy Wanveer
Address: 8812 Littlewood Rd
Parkville, MD 21234
Telephone Number: 410-652-7190



KEVIN KAMENETZ
County Executive

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

September 14, 2011

Richie Dare S. McCall
5012 Forge Road
Perry Hall, MD 21128

RE: Case Number 2012-0044-SPH , 8812 Littlewood Road

Dear Mr. McCall,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 17, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Catherine Wanveer, 8812 Littlewood Road, Parkville, MD 21234

LS 9/22
10AM

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

SEP 13 2011



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: September 13, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-044-SPH
Address 8812 Littlewood Road
(McCall Property)

Zoning Advisory Committee Meeting of August 22, 2011.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: Jeff Livingston; Development Coordination

LS 9/22
10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 19, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 8812 Littlewood Road

RECEIVED

INFORMATION:

SEP 21 2011

Item Number: 12-044
Petitioner: Richie Dare S. McCall
Zoning: DR 3.5
Requested Action: Special Hearing

OFFICE OF ADMINISTRATIVE HEARINGS

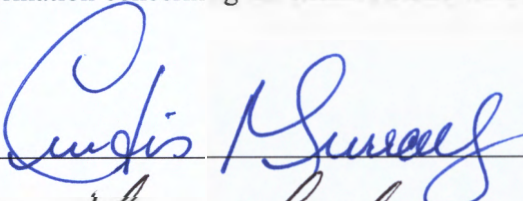
SUMMARY OF RECOMMENDATIONS:

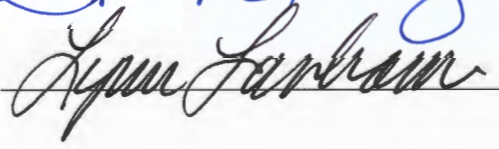
The Office of Planning has reviewed the petitioner's request and accompanying site plan.

The property in question is a five-bedroom rental house that is currently housing four tenants in three out of the five bedrooms. The Office of Planning does not oppose the existing arrangement of four tenants in three bedrooms but will not support any additional tenants or bedrooms to be allowed for the following reasons:

1. Upon site review, the driveway and parking pad are not large enough to park more than three cars comfortably. The existing trees would also make it difficult to provide additional parking in the rear and side yards.
2. Any additional on street parking would further restrict a narrow two-way street into a one-way street.
3. Because the petitioner has not obtained a residential occupancy permit or Rental Housing License.

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

Prepared by: 

Division Chief: 
AVA/LL: CM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: August 26, 2011

FROM: Dennis A. ^{DAK}Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 06, 2011
Item Nos. 2012-040, 041, 043
And 044

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09062011 -NO COMMENTS.doc



State Highway Administration

MARYLAND DEPARTMENT OF TRANSPORTATION

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

Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

Date: 8-24-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0044-SPH
Special Hearing.
Richie Dove S. McCall
8812 Littlewood Road.

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. 2012-0044-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 23, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **August 22, 2011**

Item No.:

Special Hearing: 2012-0044-SPH

Comments:

The proposed building shall be designed and constructed so as to meet the applicable provisions of the Baltimore County Fire Prevention Code; Bill # 48-10.

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

RE: PETITION FOR SPECIAL HEARING
8812 Littlewood Road; S/S Littlewood Road,
57' W of Haverhill Road
9th Election & 5th Councilmanic Districts
Legal Owner(s): Richie Dare S. McCall
Contract Purchaser(s): Catherine Wanveer
Petitioner(s)

* BEFORE THE
* ADMINISTRATIVE LAW
* JUDGE FOR
* BALTIMORE COUNTY
* 2012-044-SPH

* * * * *

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
AUG 29 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2011, a copy of the foregoing Entry of Appearance was mailed to Richie Dare McCall, 5012 New Forge Road, Perry Hall, MD 21128, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - ZAC Comments

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 8/23/2011 12:58 PM
Subject: ZAC Comments

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2012-0039-SPHXA - 742 Berryman Lane
(Hearing Date: 9/12/11)

2012-0040-A - 4724 Mawani Road
(Administrative Variance - Closing Date: 9/5/11)

2012-0041-A - 1727 Lynncrest Road
(Administrative Variance - Closing Date: 9/5/11)

2012-0042-A - 3920 New Section Road
(No hearing date set per database as of today)

2012-0043-A - 19836 Old York Road
(Administrative Variance - Closing Date: 9/12/11)

2012-0044-SPH - 8812 Littlewood Road
(No hearing date set per database as of today)

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Debra Wiley - 2012-0044-SPH

From: Debra Wiley
To: Lewis, Kristen
Date: 9/14/2011 1:20 PM
Subject: 2012-0044-SPH

Hi Kristen,

I see that the sign posting is not in the file; when do you usually receive them ? This case is for next Thursday, 9/22.

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

ROBERT C. FOLTZ ←
2907 Taylor Avenue
Baltimore, Maryland 21234
Telephone: 410-913-2522
Fax: 410-494-1774

Agent

0874018

July 21, 2011

Catherine Wanveer
8812 Littlewood Road
Baltimore, MD 21234

On behalf of Mrs. McCall I called Baltimore County Code Enforcement Office yesterday in response to a citation we received charging you with operating a boarding house. According to the officer K. Wood, only two unrelated parties may occupy a residence in Baltimore County unless you acquire a boarding house license. This means you, your son and one other unrelated person. Also anyone visiting such as girlfriends can stay no longer than 30 days in any calendar year. We were given a date of July 27, 2011 to rectify this situation or be subject to significant fines which will be your responsibility. K. Wood can be reached at 410-887-3351 if you have questions for her or I can be reached at the number above.

Sincerely,

Robert C. Foltz

ROBERT C. FOLTZ
2907 Taylor Avenue
Baltimore, Maryland 21234
Telephone: 410-913-2522
Fax: 410-494-1774

July 21, 2011

*Permits and Development Management
Code Inspection and Enforcement
County Office Building Rm. 213
111 West Chesapeake Ave.
Towson, Maryland 21204*

Inspector K. Wood,

A follow-up to our phone conversation referencing the boarding house complaint at 8812 Littlewood Road. The residents are to my knowledge Catherine Wanveer, her son Christopher Budzinski and a Michael Treas (since Oct. 2010) a boarder. From conversations with a neighbor next door both young men have stable relationship with girlfriends that do come over frequently. The same neighbor has informed me that Mr. Treas said he is leaving this month and another young man has recently, within several weeks moved in. I have not been able to confirm with Ms. Wanveer. Attached is the letter I have mailed to Ms. Wanveer and will hand deliver a copy today to expedite bringing this matter to her attention so it can be addressed immediately.

Sincerely,

Robert C. Foltz

0923500010
DR 1

GROMWELL BRIDGE RD

DR 2

HAVERHILL RD

LITTLEWOOD RD

WOLVERTON RD

NE 10-C 070C1

DR 3.5

5-CD

ED

Flood Zone X

SITE

VIOLATION
Case # 95628

2012-0044-SPH



Pt. Bk. 24, Folio 43
0903370411

Pt. Bk. 20, Folio 10

Pt. Bk./Folio # 090099

Pt. Bk./Folio # 024043

Pt. Bk./Folio # 020053

19580-1

Pt. Bk./Folio # 018002

Pt. Bk./Folio # 0190315

Pt. Bk. 18, Folio 3
0923154720

Lot # 34
0923304890

RE: CASE # 2012-0044-SPH
 (8812 LITTLEWOOD RD., Balto., Md 21234)

We, the undersigned, oppose the owner's request for an
 Alternate Use Permit which would allow for the referenced
 property to be used as a multifamily dwel^{ing}---

COMMUNITY

EXHIBIT NO. 1

NAME	ADDRESS	PHONE NUMBER	
S. Hague	1805 Cromwood	717-986-1255	
Midge Smith	8819 Littlewood Rd	410-665-2537	
Merris Lynn Crawford	8814 Littlewood Rd.	410-665-6314	
William Crawford	8814 Littlewood Rd	410-665-6314	
Sharon Paul Rodyko	8721 Oakleigh Rd	410-882-2715	
Walt [unclear]	8720 Oakleigh Rd	410-665-6300	
XXXXXXXXXXXX			
Bryan Noble	8724 Oakleigh Rd.	410-668-5335	
Theresa Miley	1809 Cromwood	410-663-9883	
Kaile Cash	1808 Cromwood	414-355-8131	
Ronald K. Hubbs	1810 Cromwood	443-600-1893	
Bridget Johnson	810 #2 Ave Gromwood	443-653-5582	
Juanita Kunkel	1944 Mainline Ave.	410-665-6842	
Ann Watell	1828 Dunwoody Rd	668-1160	
Carol Monfredo	1903 Rushley Rd	410-870-1711	
M. Graine [unclear]	1905 1/2 Rushley Rd 21234	410-668-5868	
P. Jacobs	1910 Rushley Rd 21234	410-882-4938	

RE: CASE # 2012-0044
(8812 LITTLEWOOD RD., Balto., Md 21234)

We, the undersigned, oppose the owner's request for an Alternate Use Permit which would allow for the referenced property to be used as a multifamily dwelling.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Mary Ellen Laubs	1901 Mountain Ave.	410-661-5312	littlemomma1953@hotmail.com
Paul Gungo	1826 Cromwood	668-9563	
Joe R. [unclear]	8903 Littlewood Rd	812-6923	
Kay Borth	1911 Mt Ave	661-6447	
H. M. [unclear]	1916 Mount Ave	443-823301	
Michael Zelen	1915 Mount Ave	410-661-3637	getyourkicks@comcast.net
Ann [unclear]	1905 Mountain Avenue	410-665-6581	annemarie4@verizon.net
Dave Anderson	1905 Mountain Avenue	410-665-6581	
Elaine King	1818 DUNWOODY RD	410-665-6739	
Angela Morse	"	"	
Robert [unclear]	1901 MOUNTAIN AVE	410-274-1489	
Carol [unclear]	1816 Cromwood Rd	410-668-7139	
Ed Wetman Sr	1903 MOUNTAIN	443-6045971	
Rose Ellis	1900 MT Ave	410-665-8760	
Kathy Randolph	1909 Mountain Ave	410-661-5650	
Marty Colman	1927 Mountain	410-665-9721	
Chad [unclear]	1802 Duncas	410-852-6093	



8814 Littlewood Rd.

COMMUNITY
EXHIBIT NO. 2



COMMUNITY

EXHIBIT NO. 3

1900 Haverhill Rd. (next to 8815, at the corner of Littlewood and Haverhill Rds.)



COMMUNITY

EXHIBIT NO.

4 ABC

4
ABC



4B



4c

**Cromwood, Coventry
Community Association
Constitution and By-Laws**

**Article I
Name and Purpose**

Section 1. This association shall be known as "Cromwood, Coventry Community Association, Inc. ", hereafter referred to as "the community or community."

Section 2. The purpose of this association shall be to organize and operate a community organization for community improvement and protection, better fellowship, and a stimulation of interest in a high development and improvement of living conditions in the community.

The association shall be non-profit, non-political, having for its ultimate object the development, progress and well being of this section of the county,

**Article II
Membership**

Section 1. Any owner of property in and/or resident of the community shall be eligible for membership in this association.

Section 2. Any eligible person may become a member of this association by paying one years dues.

Section 3. Membership in this association shall extend to and include the entire family living together as a single household. Each household is entitled to, one (1) vote on any issue

COMMUNITY

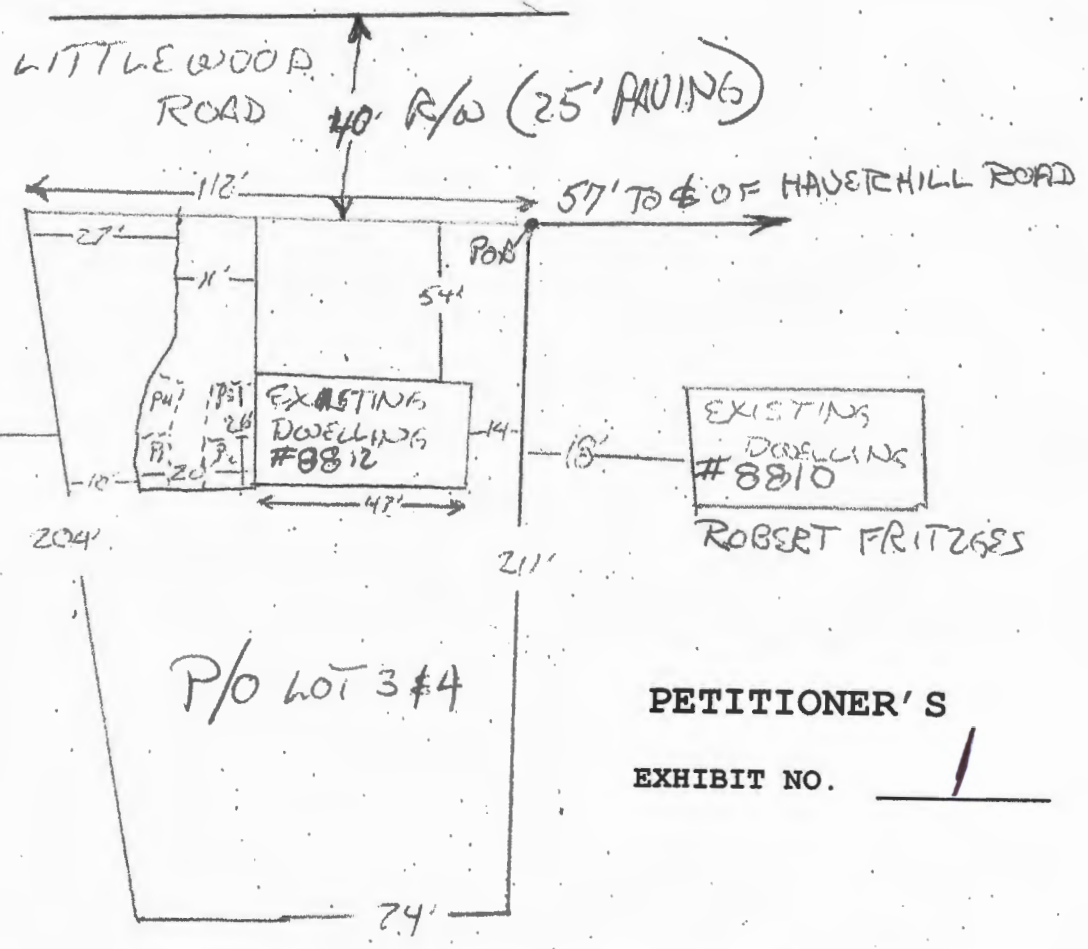
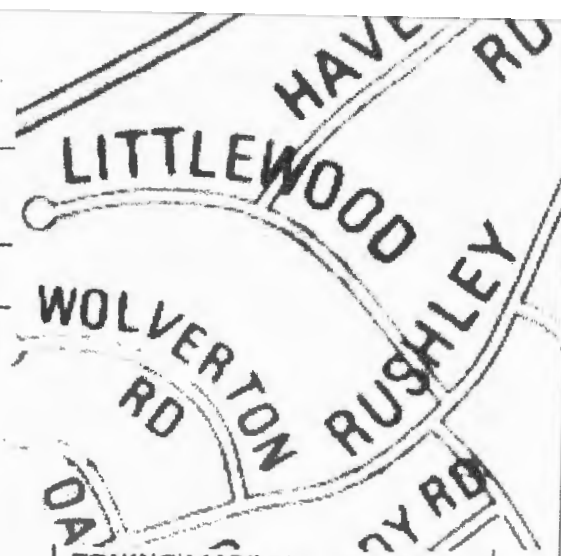
EXHIBIT NO. 5

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

ADDRESS 8812 LITTLEWOOD RD OWNER(S) NAME(S) RICHIE E. JOHN McCALL

SUBDIVISION NAME COVENTRY LOT # 3 & 4 BLOCK # D SECTION # 4

PLAT BOOK # 20 FOLIO # 53 10 DIGIT TAX # 0902006020 DEED REF. # 05532100112



EXISTING DWELLINGS #8814

TOM & MARY CONSTANCE

EXISTING DWELLINGS #8812

EXISTING DWELLINGS #8810

ROBERT FRITZGES

P/O LOT 3 & 4

PETITIONER'S

EXHIBIT NO. 1



PLAN DRAWN BY ROBERT FRITZGES DATE 8-11-11 SCALE: 1 INCH = 40 FEET

ZONING MAP # NE 10-C
SITE ZONED R 3.5
ELECTION DISTRICT 9
COUNCIL DISTRICT 5
LOT AREA ACREAGE _____
OR SQUARE FEET 18,245
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: PUBLIC X PRIVATE _____
SEWER IS: PUBLIC _____ PRIVATE X
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:
CASE # 95628

2012-0044-SPH



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

Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-24-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0044-SPH
Special Hearing.
Richie Dove S. McCall
8812 Littlewood Road.

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. 2012-0044-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at rzeller@sha.state.md.us. Thank you for your cooperation.

Sincerely,

PETITIONER'S

EXHIBIT NO. 2

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov