

MEMORANDUM

DATE: July 17, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0197-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 16, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/side of Cole Road, 240' NW of		
Edward Lane	*	OFFICE OF ADMINISTRATIVE
(532 Cole Road)		
15 th Election District	*	HEARINGS FOR
6 th Council District		
	*	BALTIMORE COUNTY
Gerald L. and Nancy E. Cohen		
<i>Petitioners</i>	*	CASE NO. 2012-0197-A

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Gerald L. and Nancy E. Cohen. The Petitioners are requesting Variance relief from § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 25' in lieu of the permitted 15'. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of March 19, 2012. On March 28, 2012, Judge Timothy M. Kotroco, on behalf of the Office of Administrative Hearings, requested a formal hearing on this matter, given that the subject property was not the Petitioners' principal residence. The hearing was subsequently scheduled for Friday, June 1, 2012 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Bureau of Development Plans

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Date 6-14-12

By SMA

Review (DRP) on March 2, 2012, indicating the following:

1. The base flood elevation for this site is 8.5 feet [NAVD 88].
2. The flood protection elevation is 9.5 feet.
3. In conformance with *Federal Flood Insurance* Requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.
4. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.
5. The building engineer shall require a permit for this project.
6. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
7. Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the County.

Appearing at the public hearing held for this case were Petitioners Gerald L. Cohen and David Billingsley, who prepared the plans for the case. There were no Protestants or other interested persons in attendance, and the file does not contain any letters of protest or opposition.

Testimony and evidence revealed that the subject property is 23,087 square feet and zoned DR 3.5. As seen on Petitioners' Exhibit 3, their lot (known as Lot 4) is bisected by a county road. On the waterfront portion of the lot, Petitioners have an existing single family dwelling. Petitioners propose to construct the garage on the portion of the lot on the other side of Cole Road. Petitioner explained that he wants to store a hardtop boat and trailer in the garage, and to do so requires variance relief.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or

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By SMA

structure which is the subject of the variance request. Indeed, the subject property is waterfront and irregularly shaped, and is also bisected by a county road. These factors render the property unique in a zoning sense.

I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners, in that they would be unable to store their boat in the garage, which is especially important given the Petitioners live in Florida for six months of the year.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

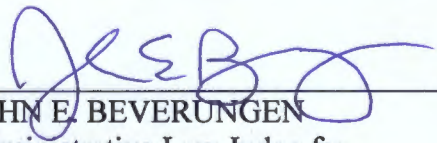
Petitioners have met this test.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioners' variance request should be denied.

THEREFORE, IT IS ORDERED, this 14 day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief under § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 25' in lieu of the permitted 15', be and is hereby GRANTED.

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

JEB:sma


JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date

6-14-12

By

SMA



KEVIN KAMENETZ
County Executive

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

June 13, 2012

Gerald L. & Nancy E. Cohen
532 Cole Road
Baltimore, MD 21220

Re: Petition for Administrative Variance
Case No. 2012-0197-A
Property: 532 Cole Road

Dear Mr. & Mrs. Cohen:

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, Approvals 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 the appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sma

Enclosure

c:

COBA FLOOD ALAIN



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 532 COLE ROAD which is presently zoned DR.3.5

Deed Reference L. 18890 F. 88 10 Digit Tax Account # 2300012200, 01

Property Owner(s) Printed Name(s) GERALD L. AND NANCY E. COHEN

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 400.3 TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 25 FEET IN LIEU OF THE PERMITTED 15 FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Legal Owners:

GERALD L. COHEN, NANCY E. COHEN
Name #1 - Type or Print Name #2 - Type or Print
Gerald L. Cohen Nancy E. Cohen
Signature #1 Signature #2
532 COLE RD. BALTO MD.
Mailing Address City State
21220 (410)335-4414
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN, INC.
Name - Type or Print
David W Billingsley
Signature
601 CHARWOOD CT. EDGEWOOD, MD.
Mailing Address City State
21040 (410)679-8719, dwb0209@yahoo.co
Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

[Signature]
Administrative Law Judge of Baltimore County

ORDER RECEIVED FOR FILING

Date 2012-0197A Filing Date 2/27/12 Estimated Posting Date 3/4/12 Reviewer AT/GH

By SMA -3/19/12 Rev 10/12/11

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 532 COLE ROAD BALTO MD. 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

(SEE ATTACHED)

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Gerald L. Cohen

Signature of Affiant

GERALD L. COHEN

Name- Print or Type

Nancy E. Cohen

Signature of Affiant

NANCY E. COHEN

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of Feb, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

GERALD L. AND NANCY E. COHEN

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal



Diana C. Harwood
Notary Public

My Commission Expires

01.21.15

2012-0197A

W. J. G. J.

Other

WE WISH TO CONSTRUCT A GARAGE STRUCTURE TO PROVIDE INSIDE STORAGE FOR OUR BOATS DURING THE WINTER MONTHS. A DOOR HEIGHT OF APPROXIMATELY 18 FEET IS REQUIRED TO SAFELY MOVE THE BOATS IN AND OUT OF THE STRUCTURE. THE ADDITIONAL SEVEN FEET WILL ALLOW US TO PROVIDE SOME STORAGE ABOVE THE BOAT STORAGE AREA AS WELL AS BEING ABLE PROVIDE A ROOF WITH ADEQUATE PITCH AND THE ABILITY TO MAKE THE STRUCTURE MORE ARCHITECTUARALLY COMPATABLE WITH HOUSES THE AREA.

WE DO NOT INTEND TO UTILIZE THE STRUCTURE FOR COMMERCIAL USE OR TO CONVERT ANY PART OF IT TO A RESIDENTIAL UNIT.

SHOULD THE REQUEST BE GRANTED, WE HAVE NO OBJECTION TO THE REQUIREMENT OF OUR BUILDING PLANS BEING REVIEWED BY THE OFFICE OF PLANNING.

2012-0197-A

ZONING DESCRIPTION

532 COLE ROAD

Beginning at a point on the east side of Cole Road (40 feet wide) distant 340 feet northwesterly from its intersection with the center of Edwards Lane, thence being all of Lot 4 as shown on the plat entitled Cohen Property, recorded among the plat records of Baltimore County in Plat Book 74 Folio 11. Containing 23,087 square feet or 0.530 acre of land, more or less.

Being known as 532 Cole Road and being located in the 15TH Election District, 6TH Councilmanic District.

2012-0197A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0197 -A Address 532 COLE ROAD

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/22/2012 Posting Date: 03/4/12 Closing Date: 03/19/12

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2012- 0197 -A Address 532 COLE ROAD

Petitioner's Name COHEN Telephone 410.335.4414

Posting Date: 3/04/12 Closing Date: 3/19/12

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (DETACHED GARAGE) WITH A HEIGHT OF 25 FEET IN LIEU OF THE PERMITTED 15 FEET

Revised 7/06/11

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE:CASE NO: 2012-0197-A

PETITIONER/DEVELOPER _____

DAVE BILLINGSLEY

DATE OF HEARING/CLOSING: _____

3/19/12

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

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 AT 532 COLE RD

THIS SIGN(S) WERE POSTED ON _____

March 4, 2012

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 3/4/12
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2012-0197

TO PERMIT AN ACCESSORY STRUCTURE (DETACHED
GARAGE) WITH A HEIGHT OF 25 FEET IN LIEU OF
THE PERMITTED 15 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-1270X(1) BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON

MONDAY MARCH 19, 2012.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-587-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE 4TH BUSINESS DAY AFTER THE MEETING.

MEETING IS HANDICAP ACCESSIBLE

03/04/2012

Yulian Ogle 3/4/12

CASE NAME 532 COLE RD.
CASE NUMBER 3012-0197A
DATE 6-1-2012

CASE NAME 532 COLE RD.
CASE NUMBER 3012-0197A
DATE 6-1-2012

[illegible]

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2012
Item No. 2012-0197

DATE: March 02, 2012

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

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN
cc: File
ZAC-ITEM NO 12-0197-03022012.doc

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 2-28-12

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

RE: Baltimore County
Item No 2012-0197-A
Administrative Variance
Gerald & Nancy Cohen
532 Cole Road.

Dear Ms. Lewis:

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. 2012-0197-A.

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).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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

Debra Wiley - 532 Cole Road, 2012-197-A

From: John Beverungen
To: dwb0209@yahoo.com
Date: 6/21/2012 9:53 AM
Subject: 532 Cole Road, 2012-197-A
CC: Debra Wiley; Patricia Zook

Mr. Billingsley,

I received your email dated June 20, 2012, concerning an error on page 3 of the Order and Opinion issued in the above case.

I apologize for the confusion, and of course that reference to "denied" is in error.

I granted your clients' variance relief, and the penultimate paragraph should have read "...I find that Petitioners' variance request should be **granted**."

I will place this email, and your original email, in the file for this case, and this shall serve as a correction of the June 14, 2012 Order in the above case.

John Beverungen.

Administrative Hearings - 532 Cole Road Case No. 2012-0197-A

From: David Billingsley <dwb0209@yahoo.com>
To: "administrativehearings@baltimorecountymd.gov" <administrativehearings@b...>
Date: 6/20/2012 11:59 AM
Subject: 532 Cole Road Case No. 2012-0197-A
CC: NANCY COHEN <nancy_cohen_e@msn.com>
Attachments: Scan0064.pdf

The order for the referenced case appears to have an error on page 3. Second paragraph from the end shows denied.

Thanks

Dave Billingsley
Central Drafting and Design, Inc.
(410) 679-8719 Office
(410) 458-1401 Cell

Catherine Washington, DDS
4518 Old Court Road
Baltimore, Maryland 21208

Office of Administrative Judges
Jefferson Building, Suite 103
Towson, Maryland 21286

RECEIVED

AUG 24 2012

OFFICE OF ADMINISTRATIVE HEARINGS

August 23, 2012

RE: Case No. 07-567-XA

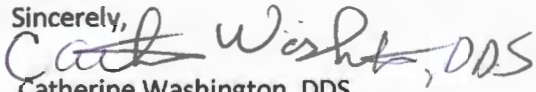
Dear Administrative Judge:

I am writing to respectfully request consideration for the granting of an extension to my Special Exception and Variance Relief that was approved by the Deputy Zoning Commissioner for Baltimore County. The ruling is dated the 14th day of September, 2007. I was not informed that a time limitation applied or that an extension request was needed at any time. I knew that an approval from the Zoning office was required and I went through the hearing process. I would have requested the extension before now had I known about any time limitations. The five year period allowed though the extension request has not yet expired.

I have experienced multiple personal and family crisis situations since 2007. My father who is soon to be 84 years old developed severe intestinal bleeding requiring surgery and several days in intensive care beginning in September 2007. He then battled prostate cancer in 2008. My younger sister was diagnosed with breast cancer in 2009 and had surgery in 2010. I was diagnosed with a tumor in my left hip requiring surgery in 2011. We are a small family and very supportive of each other. I am thankful to say we have all recovered and we are doing well.

There is no change to my agreed upon use of my home. I fully intend to comply with the terms and conditions specified within my original approval. Because of my personal and family health concerns as well as our unstable economy, it has been necessary to take this time to be sure I was physically, financially and emotionally ready to begin this project.

I respectfully request your consideration and genuinely plead for your approval of an extension allowing me to move forward with this process. I am ready to begin immediately upon your approval. I thank you very much for your help with this matter.

Sincerely,

Catherine Washington, DDS

+

443.790.7871 call #

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE**

N side Old Court Road, 543 feet

E c/l Scotts Level Road

(4518 Old Court Road)

2nd Election District

2nd Councilmanic District

Catherine Washington

Legal Owner

BEFORE THE

DEPUTY ZONING

COMMISSIONER

FOR BALTIMORE COUNTY

Case No. 07-567-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of the Petitions for Special Exception and Variance filed by the legal property owner, Catherine Washington. The Special Exception request pursuant to Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) is to allow a single-family dwelling with a home dental office under Section 1B01.1.C.12 of the B.C.Z.R. The Variance request is from Section 409.4 of the B.C.Z.R. to permit a driveway with a 16 foot width in lieu of the required 20 feet. The subject property and requested relief are more particularly described on the site plan, which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the Special Exception and Variance requests were Petitioner Catherine Washington, her attorney, J. Carroll Holzer, Esquire, and Bernadette Moskunus, the consultant who prepared the site plan. Appearing as interested citizens were George and Margaret Zentz of 4509 Old Court Road and Rathea Mims of 4508 Old Court Road.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel approximately 110 feet wide by 296 feet deep and contains 0.742 acres, more or less. It is



KEVIN KAMENETZ
County Executive

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

August 27, 2012

Catherine Washington, DDS
4518 Old Court Road
Baltimore, Md. 21208

Re: Request for Extension - Petitions for Special Exception and Variance
Catherine Washington
Case No. 07-567-XA

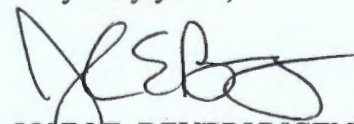
Dear Dr. Washington:

I am in receipt of your August 23, 2012 correspondence regarding the above. Unfortunately, I am unable to grant an extension (beyond five years) of the special exception granted in 2007. As an initial matter, unless the Order granting relief indicates otherwise, a special exception must be utilized within two years from the date of the Order granting same. B.C.Z.R. § 502.3. The Order in this case did not specify such a longer period, and thus it is arguable the special exception is void. Even so, I will treat your correspondence as a request for extension for a period of five years, and will grant that request nunc pro tunc.

Under the B.C.Z.R., a special exception must be utilized within a "period not exceeding five years." B.C.Z.R. § 502.3. That regulation expressly prohibits extensions "for a period of more than five years from the date of the final order granting same."

Though I am unable to grant an extension, you should be aware that the special exception remains valid through September 15, 2012. So long as the special exception is utilized prior to this date, you will have vested the use, and the approval would continue until you sold the property or discontinued the dental office use as specified in former Deputy Zoning Commissioner Bostwick's Order. Under the regulations, a special exception use would be deemed utilized if the owner begins construction on the project within the authorized period; in this case, on or before September 15, 2012.

Very truly yours,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 8-27-12

By [Signature]

JEB:dlw

JB 6-1
10 AM

Case No.: 2012-0197-A 532 Cole Rd.

Exhibit Sheet

SMA 6-14-12
Protestant 100 7-17-12

Petitioner/Developer

No. 1	Plan	
No. 2	SDAT record	
No. 3	Tax Map	
No. 4	Deed	
No. 5	Subdivision Plat	
No. 6	Aerial Photo	
No. 7	7A-7E Color photos	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S EXHIBITS

**532 COLE ROAD
CASE NO. 2012-0197-A**

- 1. PLAT TO ACCOMPANY PETITION FOR ADMINISTRATIVE VARIANCE (JAN. 3, 2012)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. TAX MAP 0091**
- 4. DEED OF RECORD L. 18890 F. 88**
- 5. SUBDIVISION PLAT – COHEN PROPERTY PB 74 F 11**
- 6. AERIAL PHOTO**
- 7a – 7e. PHOTOS**

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 15 Account Number - 2300012201

Owner Information

Owner Name: COHEN GERALD L
COHEN NANCY E
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 3328 EDWARDS LN
BALTIMORE MD 21220-2911
Deed Reference: 1) /00000/ 00000
2)

Location & Structure Information

Premises Address 532 COLE RD
0-0000
Legal Description .224 AC PRT LT 4
532 COLE RD WS
Waterfront COHEN PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0091	0015	0191		0000			4	3	Plat Ref: 0074/0111

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2004	1,092 SF	9,757 SF	34

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	319,500	259,500		
Improvements:	145,200	99,700		
Total:	464,700	359,200	464,700	359,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
COHEN LEON P	10/02/2003	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/00000/ 00000	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class: **Special Tax Recapture:** NONE

Homestead Application Information

Homestead Application Status: No Application

PETITIONER'S
EXHIBIT NO. 2

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 15 Account Number - 2300012200

Owner Information

Owner Name:	COHEN GERALD L COHEN NANCY E	Use:	RESIDENTIAL
Mailing Address:	3328 EDWARDS LN BALTIMORE MD 21220-2911	Principal Residence:	NO
		Deed Reference:	1)/18890/ 00088 2)

Location & Structure Information

Premises Address	Legal Description
COLE RD 0-0000	.306 AC PRT LT 4 ES COLE RD COHEN PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0091	0015	0191		0000			4	3	Plat Ref: 0074/0111

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		13,329 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	62,300	62,300		
Improvements:	0	0		
Total:	62,300	62,300	62,300	62,300
Preferential Land:	0			0

Transfer Information

Seller:	COHEN LEON P	Date:	10/02/2003	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/18890/ 00088	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

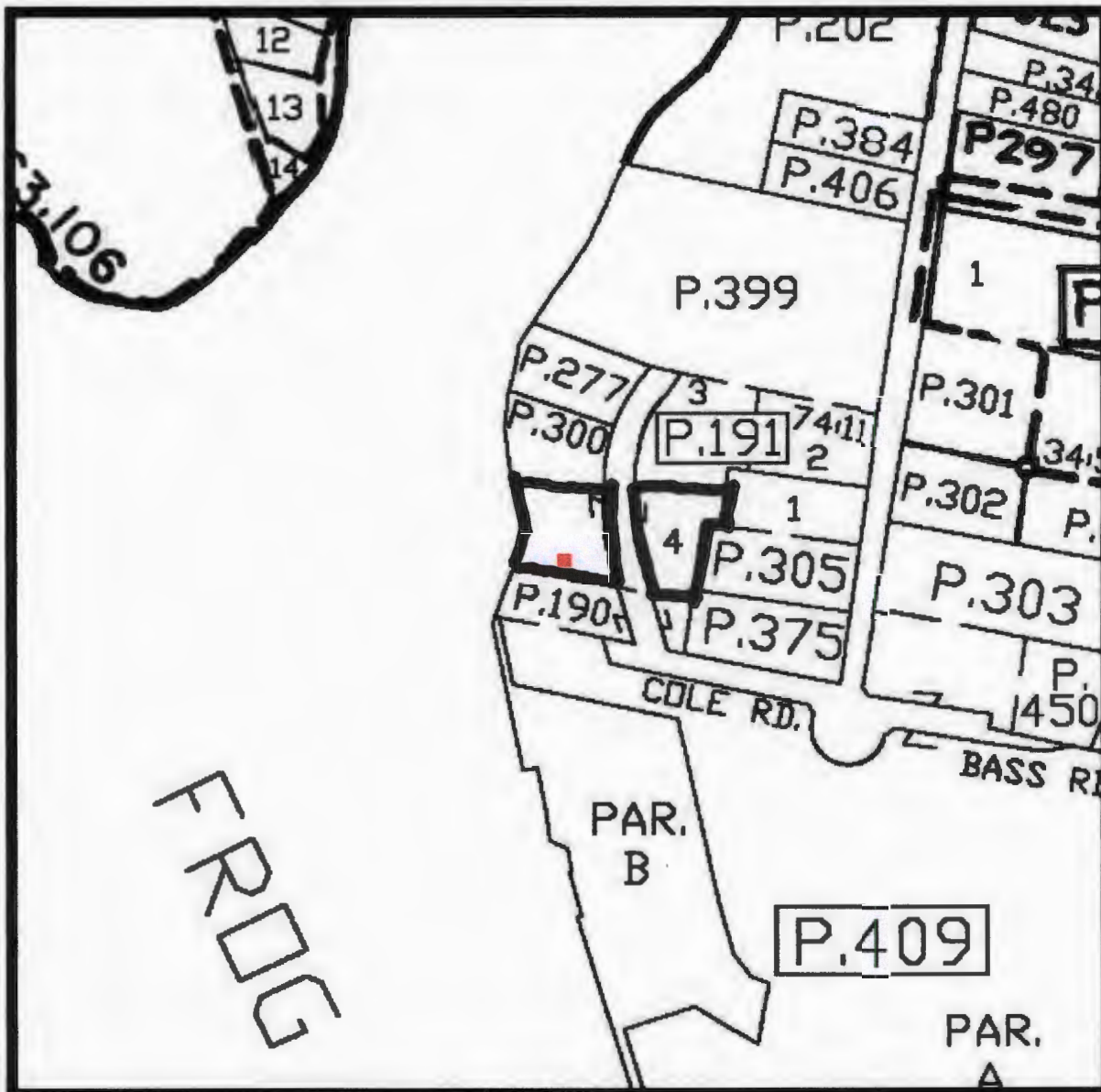
Homestead Application Status:	No Application
--------------------------------------	----------------



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

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

District - 15 Account Number - 2300012201



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2010.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

PETITIONER'S
EXHIBIT NO. 3

NO TITLE SEARCH
 NO TITLE EXAMINATION
 NO CONSIDERATION

THIS DEED, MADE THIS *18th* day of *August* in the year two thousand three by and between **LEON P. COHEN**, of Jensen Beach, Florida, party of the first part, and **GERALD L. COHEN** and **NANCY E. COHEN**, his wife, parties of the second part.

WITNESSETH, That in consideration of the sum of Zero Dollars (\$0.00) No Consideration and love and affection and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part, does hereby grant and convey unto the said parties of the second part, as tenants by the entireties, the survivor and the survivor's Personal Representatives/heirs and assigns, in fee simple, all that property situate and lying in Baltimore County, State of Maryland, and described as follows, that is to say:

**FOR LEGAL DESCRIPTION SEE EXHIBIT "A" AND "B" ATTACHED HERETO
 AND MADE A PART HEREOF**

BEING the same lot of ground which by Deed dated November 23, 1992 and recorded among the Land Records of Baltimore County in Liber SM 10878, Folio 66 was granted and conveyed by Marie L. Cohen and Leon P. Cohen, reserving unto themselves a life estate with full powers of disposition with remainder to Gerald L. Cohen and Susan L. Subiski as remainderman.

The said Marie L. Cohen having departed this life on or about November 1, 1998.

The said Leon P. Cohen does hereby exercise his full powers of disposition in the creation of this new Deed.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot/lots and premises to the said parties of the second part, as tenants by the entireties, the survivor and the survivor's personal representatives/heirs and assigns, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

EXHIBIT "A"

H. MALMUD & ASSOCIATES, INC.
12018 RIDGE VALLEY DRIVE
OWINGS MILLS, MARYLAND 21117
TELEPHONE 410 382-2959

DESCRIPTION OF LOT 4
#532 COLE ROAD
AS SHOWN ON THE
RECORD PLAT OF THE COHEN PROPERTY
DISTRICT NO. 15C5
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME ON THE WEST SIDE COLE ROAD AS SHOWN ON THE "RECORD PLAT OF THE COHEN PROPERTY EDWARDS LANE AND COLE ROAD" RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 74, FOLIO 11 AND A POINT ON THE SECOND LINE OF THE CONVEYANCE FROM EVELYN M. LANNON TO DONALD F. LANNON, JR. BY DEED DATED JULY 13, 1990 AND RECORDED IN THE AMONG THE SAID LAND RECORDS IN LIBER 8557, FOLIO 201, THENCE BINDING ON PART OF SAID LINE TO THE WATERS OF FROG MORTAR CREEK:

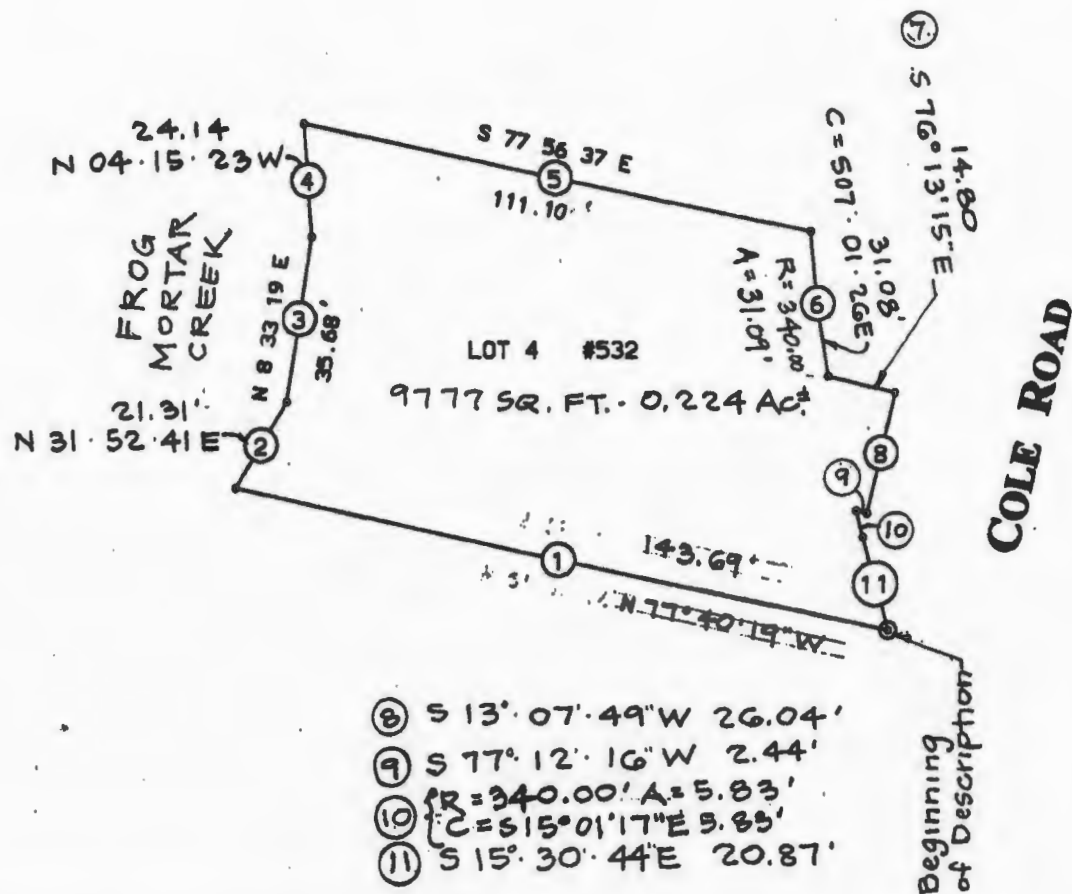
- (1) NORTH 77 DEGREES 40' 19" WEST 143.69 FEET, THENCE BINDING ON SAID CREEK THE THREE FOLLOWING COURSES AND DISTANCES:
- (2) NORTH 31 DEGREES 52' 41" EAST 21.31 FEET,
- (3) NORTH 08 DEGREES 33' 19" EAST 35.68 FEET AND
- (4) NORTH 04 DEGREES 15' 23" WEST 24.14 FEET THENCE LEAVING SAID CREEK AND RUNNING FOR A LINE OF DIVISION THROUGH PART OF THE LOT OF GROUND DESCRIBED IN THE CONVEYANCE FROM MARIE L. COHEN AND LEON P. COHEN TO GERALD L. COHEN AND SUSAN SIBISKI BY DEED DATED NOVEMBER 23, 1992 AND RECORDED AMONG THE SAID LAND RECORDS IN LIBER 10878, FOLIO 66:
- (5) SOUTH 77 DEGREES 56' 37" EAST 111.10 FEET TO SAID COLE ROAD THENCE BINDING THEREON, THE SIX (6) FOLLOWING COURES AND DISTANCES:
- (6) BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 340.00 FEET AN ARC LENGTH OF 31.09 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 07 DEGREES 01' 26" EAST 31.08 FEET;
- (7) SOUTH 76 DEGREES 13' 15" EAST 14.80 FEET,
- (8) SOUTH 13 DEGREES 07' 49" WEST 26.04 FEET,
- (9) NORTH 77 DEGREES 12' 16" WEST 2.44 FEET,
- (10) BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 340.00 FEET AN ARC LENGTH OF 5.83 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 15 DEGREES 01' 17" EAST 5.83 FEET,
- (11) SOUTH 15 DEGREES 30' 44" EAST 20.87 FEET TO THE PLACE OF BEGINNING.

CONTAINING 9,777 SQUARE FEET OR 0.224 OF AN ACRE OF LAND, MORE OR LESS.

AUGUST 22, 2003

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW. A TITLE REPORT WAS NOT FURNISHED FOR THIS DESCRIPTION.

File: Description Cohen Property Lots 1 - 4 & Tract A



PLAT TO ACCOMPANY DEED
LOT 4 COHEN PROPERTY
#532 COLE ROAD
DISTRICT 15C5
BALTIMORE COUNTY, MARYLAND
Scale: 1"=40' August 21, 2003

Prepared by:
H. Malmud & Associates, Inc.
12018 Ridge Valley Drive
Owings Mills, Maryland 21117
Telephone 410 382-2939

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW.

EXHIBIT B"

H. MALMUD & ASSOCIATES, INC.
12018 RIDGE VALLEY DRIVE
OWINGS MILLS, MARYLAND 21117
TELEPHONE 410 382-2959

DESCRIPTION OF PART OF LOT 4 LYING ON THE EAST SIDE OF COLE ROAD
AS SHOWN ON THE
RECORD PLAT OF THE COHEN PROPERTY
DISTRICT NO. 15C5
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME ON THE EAST SIDE COLE ROAD AS SHOWN ON THE "RECORD PLAT OF THE COHEN PROPERTY EDWARDS LANE AND COLE ROAD" RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 74, FOLIO 11 AND A POINT ON THE SECOND LINE OF THE CONVEYANCE FROM EVELYN M. LANNON TO DONALD F. LANNON, JR. BY DEED DATED JULY 13, 1990 AND RECORDED IN THE AMONG THE SAID LAND RECORDS IN LIBER 8557, FOLIO 201, THENCE BINDING ON PART OF SAID LINE:

- (1) SOUTH 77 DEGREES 40' 19" EAST 57.58 FEET, THENCE LEAVING SAID LINE AND RUNNING FOR FIVE (5) LINES OF DIVISION THROUGH PART OF THE LOT OF GROUND DESCRIBED IN THE CONVEYANCE FROM MARIE L. COHEN AND LEON P. COHEN TO GERALD L. COHEN AND SUSAN SIBISKI BY DEED DATED NOVEMBER 23, 1992 AND RECORDED AMONG SAID LAND RECORDS IN LIBER 10878, FOLIO 66:
- (2) NORTH 08 DEGREES 48' 32" EAST 109.77 FEET,
- (3) SOUTH 81 DEGREES 10' 01" EAST 23.90 FEET,
- (4) NORTH 08 DEGREES 49' 59" EAST 43.88 FEET AND
- (5) NORTH 85 DEGREES 50' 53" WEST 124.93 FEET TO SAID COLE ROAD THENCE BINDING THEREON, THE TWO (2) FOLLOWING COURSES AND DISTANCES:
- (6) BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 300.00 FEET AN ARC LENGTH OF 105.47 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 05 DEGREES 26' 26" EAST 104.93 FEET,
- (7) SOUTH 15 DEGREES 30' 44" EAST 41.99 FEET TO THE PLACE OF BEGINNING.

CONTAINING 13,311 SQUARE FEET OR 0.306 OF AN ACRE OF LAND, MORE OR LESS.

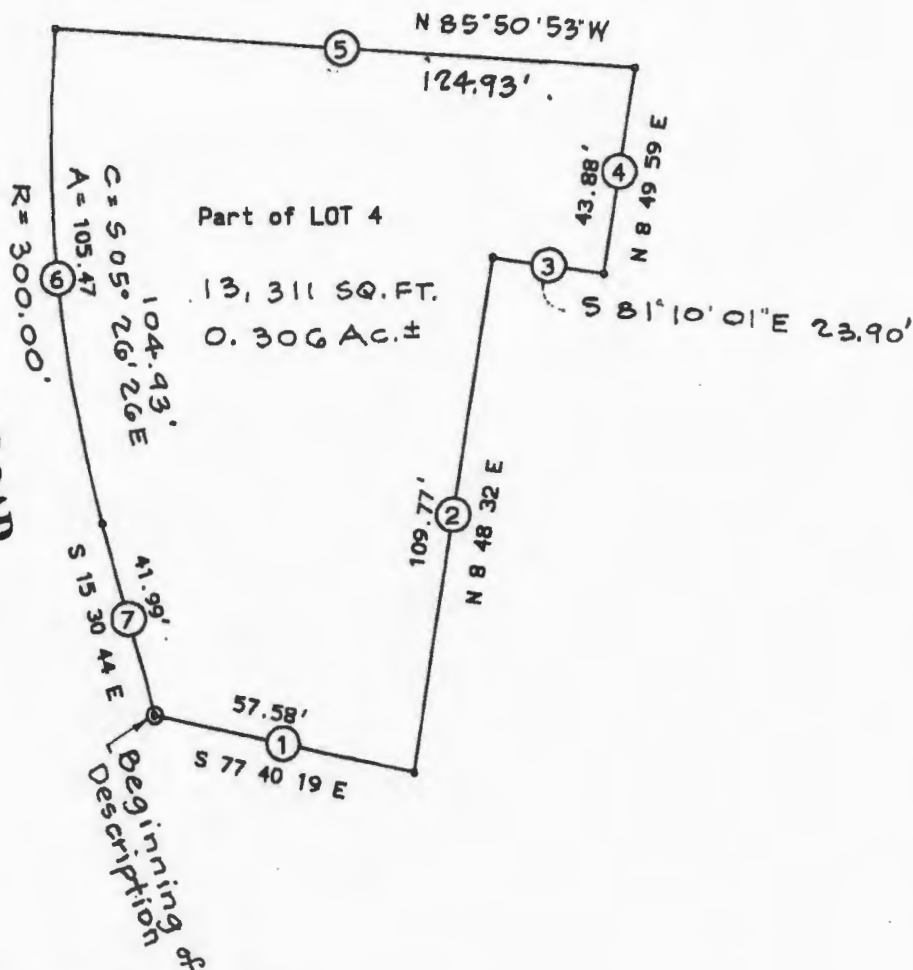
AUGUST 22, 2003

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW. A TITLE REPORT WAS NOT FURNISHED FOR THIS DESCRIPTION.

File: Description Cohen Property Lots 1 - 4 & Tract A



COLE ROAD



PLAT TO ACCOMPANY DEED
PART OF LOT 4 COHEN PROPERTY
COLE ROAD
 DISTRICT 15C5
 BALTIMORE COUNTY, MARYLAND
 Scale: 1"=40' August 21, 2003

Prepared by:
 H. Malmud & Associates, Inc.
 12018 Ridge Valley Drive
 Owings Mills, Maryland 21117
 Telephone 410 382-2959

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW.

WITNESS the hand and seal of the said grantor.

Test:

Anne L. Schuchel Leon P. Cohen (SEAL)
LEON P. COHEN

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 18th day of August, in the year two thousand three, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared LEON P. COHEN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Bernard I. Pollock
NOTARY PUBLIC

My Commission Expires: May 1, 2006

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.

Bernard I. Pollock
BERNARD I. POLLOCK, ESQUIRE

RETURN TO:

BERNARD I. POLLOCK, ESQUIRE
3129 EASTERN AVENUE
BALTIMORE, MARYLAND 21224-3904
410-342-6733



7a



7b



7c



7d



78



My Neighborhood Map
PETITIONER'S
EXHIBIT NO. 6

Created By
 Baltimore County
 My Neighborhood



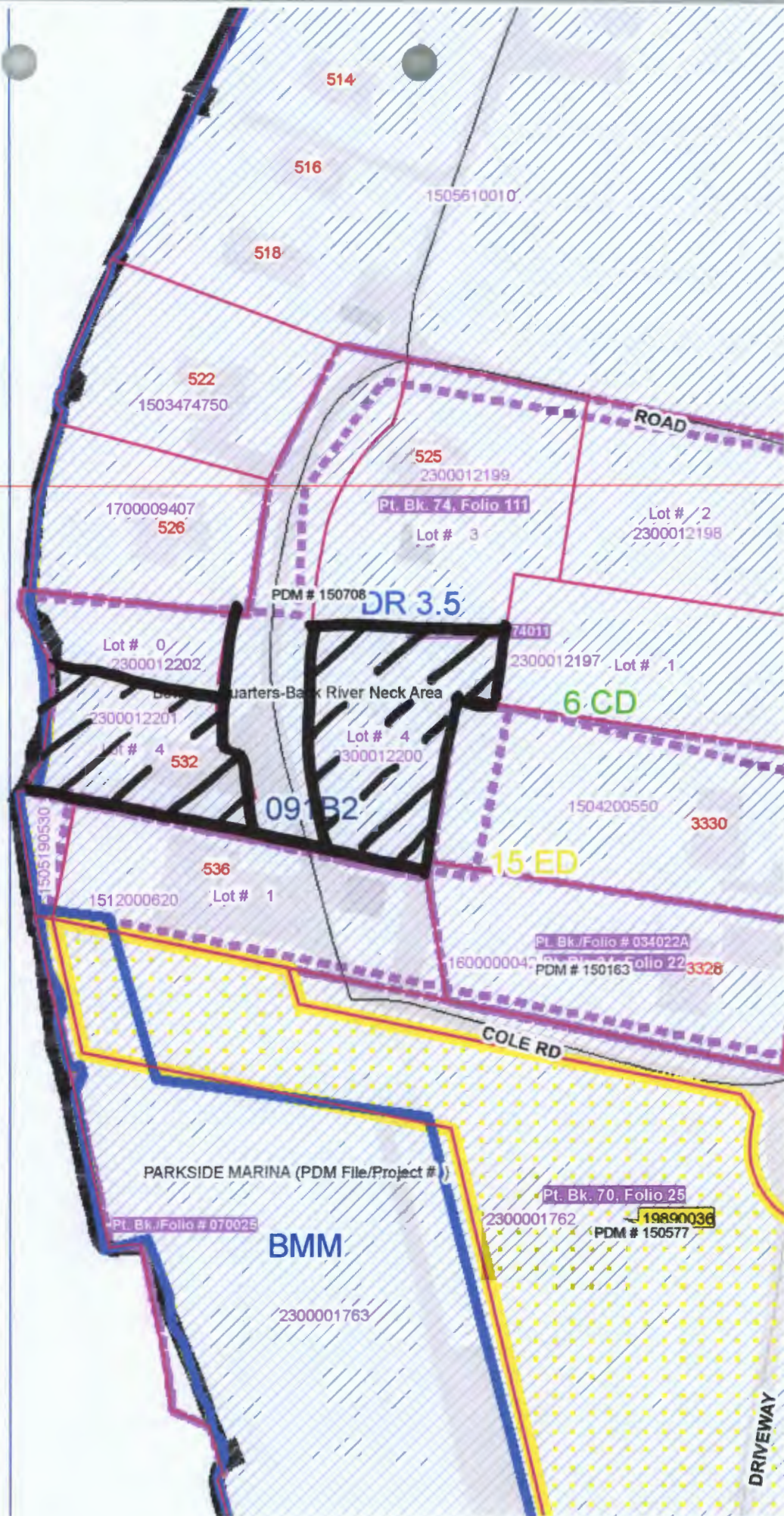
This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 5/26/2012

NE 4-J

091A2

NE 3-J



2012-0197A

Page 1 of 1

David Thomas - Re: Fwd: Fw: 532 Cole Road; 2012-197 -A

From: Carl Richards
To: Adams, Edward; Thomas, David
Date: 8/7/2012 11:20 AM
Subject: Re: Fwd: Fw: 532 Cole Road; 2012-197-A
CC: Beverungen, John
Attachments: Carl Richards.vcf

To all,

This proposed powder room is OK with zoning as a convenience use only. Any permits should clearly state **"CONVENIENCE ONLY, NO LIVING QUARTERS"**.

W. Carl Richards, Jr.
Permits, Approvals and Inspections
Zoning Review, Baltimore County Room 111, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
410-887-3391; 410-887-3048 (fax)
http://www.baltimorecountymd.gov/agencies/permits/pdm_zoning/index.html

>>> David Thomas 8/7/2012 10:39 AM >>>
Ed,

You had talked to Arnold and Carl about this garage that Dave Billingsley wants to include a powder room. The attached e-mail I'm forwarding from Dave claims John Beverungen says the powder room is in the spirit & intent of his order.

This gets us back to Dave's original question of how to cross Cole Rd. with a private sewer line. Do you want a full franchise agreement or can we do something informal?

Just to make sure no one is confused about the zoning issues, I've cc'd this to Judge Beverungen and to Carl Richards.

Dave Thomas

David L. Thomas
Baltimore County DPW
(410) 887-3984

John Beverungen - 532 Cole Road; 2012-197-A

From: John Beverungen<jbeverungen@baltimorecountymd.gov> (John Beverungen)
To: dwb0209@yahoo.com
Date: 08/01/12 2:10 PM
Subject: 532 Cole Road; 2012-197-A
CC: Carl Richards

Mr. Billingsley,

I received and reviewed your email regarding the above case, wherein a variance was granted for construction of a garage with a height of 25', in lieu of the permitted 15'. You indicated the Petitioners would like to include a powder room (toilet and sink, without a tub and shower) in the new garage, and asked if doing so would be within the "spirit and intent" of the June 14, 2012 Order in the above case.

I believe that the installation of the powder room would indeed be within the spirit and intent of that Order, provided the garage contain no living quarters or other accommodations for overnight habitation.

John Beverungen

John Beverungen - 532 Cole Road Case No. 2012-0197-A

From: David Billingsley <dwb0209@yahoo.com>
To: John Beverungen <jbeverungen@baltimorecountymd.gov>
Date: 06/04/12 8:03 AM
Subject: 532 Cole Road Case No. 2012-0197-A
CC: NANCY COHEN <nancy_cohen_e@msn.com>

Judge Beverungen

During the testimony on Friday, both Mr. Cohen and myself neglected to mention that the Cohens would like to have the opportunity to install a powder room (no tub or shower) in the proposed garage. Obviously, the water and sewer connections would be processed through DPW at the time of building permit application. Thank you for your consideration

Dave Billingsley
Central Drafting and Design, Inc.
(410) 679-8719 Office
(410) 458-1401 Cell

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3-2</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>Comments</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2-28</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>5-10-12</u>	
SIGN POSTING	Date: <u>5-11-12</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: ① See Memo 3/28 ② Email from Dave Beinsley
re: 6 mos. Florida 6 mos. Ind.

CERTIFICATE OF POSTING

RE:CASE NO: 2012-0177-A

PETITIONER/DEVELOPER _____

DAVE BILLINGSLEY

DATE OF HEARING/CLOSING: _____

6/1/12

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

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 AT 532 COLE RD

THIS SIGN(S) WERE POSTED ON _____

May 11, 2012
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/11/12
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2012-0197-A

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

ROOM 205 JEFFERSON BUILDING 105

PLACE: WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: FRIDAY, JUNE 1, 2012
AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (GARAGE) WITH A HEIGHT OF 25 FEET
IN LIEU OF THE PERMITTED 15 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS MAY BE NECESSARY.
TO CONFIRM HEARING CALL 410-887-3391

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

05/11/2012

myadingle 5/11/12

**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: # 2012-0197-A
532 Cole Road
E/s of Cole Road, 240 feet
n/w of Edwards Lane
15th Election District
6th Councilmanic District
Legal Owner(s): Gerald & Nancy Cohen

Variance: to permit an accessory structure (garage) with a height of 25 feet in lieu of the permitted 15 feet.

Hearing: Friday, June 1, 2012 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.

05/177 May 10 303172

CERTIFICATE OF PUBLICATION

5/10/, 2012

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 5/10/, 2012.

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

J. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

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

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: 2012-0197-A

532 Cole Road

E/s of Cole Road, 240 feet n/w of Edwards Lane

15th Election District – 6th Councilmanic District

Legal Owners: Gerald & Nancy Cohen

Variance to permit an accessory structure (garage) with a height of 25 feet in lieu of the permitted 15 feet.

Hearing: Friday, June 1, 2012 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".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Cohen, 532 Cole Road, Baltimore 21220
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 12, 2012.**
- (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.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 10, 2012 Issue - Jeffersonian

Please forward billing to:
Gerald Cohen
532 Cole Road
Baltimore, MD 21220

410-335-4414

NOTICE OF ZONING HEARING

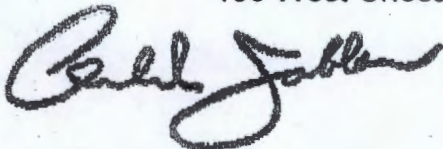
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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532 Cole Road
E/s of Cole Road, 240 feet n/w of Edwards Lane
15th Election District – 6th Councilmanic District
Legal Owners: Gerald & Nancy Cohen

Variance to permit an accessory structure (garage) with a height of 25 feet in lieu of the permitted 15 feet.

Hearing: Friday, June 1, 2012 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 HEARING OFFICES AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 28, 2012

TO: Kristen Matthews
Dept. of Permits, Approvals and Inspections

FROM: Patricia Zook, Legal Secretary to
Timothy M. Kotroco, Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance
Case No. 2012-0197-A – located at 532 Cole Road

After a review of the above-captioned case file, Timothy M. Kotroco has determined that this case shall be set in for a public hearing. According to the Maryland Department of Assessments and Taxation, the subject property is not the Petitioners' principal residence. Historically this Office has conducted hearings on cases in which the subject property is not the principal residence. As is policy, non-owner occupied properties shall not be handled as Administrative Variances.

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Case File
Kristen Lewis, Zoning Review Office
Debbie Wiley, Office of Administrative Hearings

Patricia Zook - Case 2012-0197-A - 532 Cole Road (AV that closed 3-19-12)

From: Patricia Zook
To: Lewis, Kristen
Date: 4/27/2012 12:11 PM
Subject: Case 2012-0197-A - 532 Cole Road (AV that closed 3-19-12)
CC: Wiley, Debra

Hello Kristen-

This is an administrative variance case that Judge Kotroco put in for a hearing. *(See memo to you dated March 28, 2012, regarding scheduling the hearing)* After receiving e-mails from David Billingsley, the file was returned for Judge Kotroco to review.

Judge Kotroco confirms that this matter shall be set in for a hearing and the file was placed in the pick up bin for the Zoning Office.

The Petitioners are to post and advertise at their expense.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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Subject: Case 2012-0197-A - 532 Cole Road (AV that closed 3-19-12)
Created By: pzook@baltimorecountymd.gov
Scheduled Date:
Creation Date: 4/27/2012 12:11 PM
From: Patricia Zook

Recipient	Action	Date & Time	Comment
CC: Debra Wiley (dwiley@baltimorecountymd.gov)	Delivered	4/27/2012 12:11 PM	
To: Kristen Lewis (klewis@baltimorecountymd.gov)	Pending		

From: David Billingsley <dwb0209@yahoo.com>
To: Timothy Kotroco <TKotroco@baltimorecountymd.gov>
Date: 4/13/2012 2:58 PM
Subject: Re: Case No. 2012-0197-A 532 Cole Road

Tim

I assume you received my last email in reference to the separate parcel issue. If you still want a hearing, please sign the bottom of page one of the Administrative Zoning Petition and send over to Kristen to set the case for a hearing. Obviously, the Cohens would prefer to avoid the time and additional costs of a hearing.

Thanks for your consideration and have a great weekend

Dave Billingsley
Central Drafting and Design, Inc.
(410) 679-8719 Office
(410) 458-1401 Cell

From: Timothy Kotroco <TKotroco@baltimorecountymd.gov>
To: David Billingsley <dwb0209@yahoo.com>
Sent: Monday, April 2, 2012 10:37 AM
Subject: Re: Case No. 2012-0197-A 532 Cole Road

Dave: It also looked like the structure was being built on a vacant lot and not on the lot that the house is situated upon. Tim

Timothy M. Kotroco
Administrative Law Judge
Office of Administrative Hearings
Phone: 410-887-3868

>>> David Billingsley <dwb0209@yahoo.com> 3/31/2012 4:21 PM >>>

Tim

I spoke to Ms. Cohen today. They spend 6 months in Florida and 6 months in Maryland at the Cole Road dwelling. The house in Florida is listed as a principle residence so I guess we don't have a choice but to set the case for a hearing

Thanks

Dave Billingsley
Central Drafting and Design, Inc.
(410) 679-8719 Office
(410) 458-1401 Cell

From: David Billingsley <dwb0209@yahoo.com>
To: Timothy Kotroco <tkotroco@baltimorecountymd.gov>
Cc: Aaron Tsui <atsui@baltimorecountymd.gov>
Sent: Friday, March 30, 2012 8:07 AM
Subject: Case No. 2012-0197-A 532 Cole Road

Good morning Tim

I received a call from the zoning review office that you were requesting a public hearing for the referenced case. I saw that the public record shows that this is not their principal residence. I know they own several properties in the area and one in Florida. I have been to the subject house and they do live there. I am attempting to contact them today to find out why it is not listed as their principal residence.
Thanks

Dave Billingsley
Central Drafting and Design, Inc.
(410) 679-8719 Office
(410) 458-1401 Cell

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 28, 2012

TO: Kristen Matthews
Dept. of Permits, Approvals and Inspections

FROM: Patricia Zook, Legal Secretary to
Timothy M. Kotroco, Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance
Case No. 2012-0197-A – located at 532 Cole Road

After a review of the above-captioned case file, Timothy M. Kotroco has determined that this case shall be set in for a public hearing. According to the Maryland Department of Assessments and Taxation, the subject property is not the Petitioners' principal residence. Historically this Office has conducted hearings on cases in which the subject property is not the principal residence. As is policy, non-owner occupied properties shall not be handled as Administrative Variances.

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Case File
Kristen Lewis, Zoning Review Office
Debbie Wiley, Office of Administrative Hearings

From: Patricia Zook
To: Lewis, Kristen
CC: Wiley, Debra
Date: 3/28/2012 3:18 PM
Subject: Case 2012-0197-A - schedule hearing-not principal residence.doc
Attachments: IO-2012-0197-A AV schedule hearing-not principal residence.doc

Kristen -

Please find attached Tim Kotroco's memo regarding this administrative variance case. He has determined that a public hearing is necessary.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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Subject: Case 2012-0197-A - schedule hearing-not principal residence.doc
Created By: pzook@baltimorecountymd.gov
Scheduled Date:
Creation Date: 3/28/2012 3:18 PM
From: Patricia Zook

Recipient	Action	Date & Time	Comment
CC: Debra Wiley (dwiley@baltimorecountymd.gov)	Delivered	3/28/2012 3:18 PM	
To: Kristen Lewis (klewis@baltimorecountymd.gov)	Pending		

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
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[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

2012-0197-A

Account Identifier:

District - 15 Account Number - 2300012201

Owner Information

Owner Name:

COHEN GERALD L
COHEN NANCY E

Use:

RESIDENTIAL

Principal Residence:

NO

Mailing Address:

3328 EDWARDS LN
BALTIMORE MD 21220-2911

Deed Reference:

1) /00000/ 00000
2)

Location & Structure Information

Premises Address

532 COLE RD
0-0000

Legal Description

.224 AC PRT LT 4
532 COLE RD WS
Waterfront COHEN PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0091	0015	0191		0000			4	3	Plat Ref: 0074/0111

Special Tax Areas

Town	Ad Valorem	Tax Class
NONE		

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2004	1,092 SF	9,757 SF	34

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	319,500	259,500		
Improvements:	145,200	99,700		
Total:	464,700	359,200	464,700	359,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
COHEN LEON P	10/02/2003	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/00000/ 00000	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00
Tax Exempt:			
Exempt Class:			
	Special Tax Recapture:		

not principal residence

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

[Go Back](#)
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[Redemption](#)
[GroundRent](#)
[Registration](#)

2012-0197-A

Account Identifier:

District - 15 Account Number - 1600000042

Owner Information

Owner Name:

COHEN GERALD L
COHEN NANCY E

Use:

RESIDENTIAL

Principal Residence:

NO

Mailing Address:

1079 NETTLES BLVD
JENSEN BEACH FL 34957-3385

Deed Reference:

1) /05066/ 00653
2)

Location & Structure Information

Premises Address

3328 EDWARDS LN
BALTIMORE 21220-2911

Legal Description

.462 AC

PHILIP EDWARDS PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0091	0015	0375		0000				3	Plat Ref: 0034/0022

Special Tax Areas

Town	Ad Valorem	Tax Class
NONE		

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1971	1,256 SF	20,124 SF	04

Stories	Basement	Type	Exterior
1.000000	YES	SPLIT FOYER	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	124,000	124,000		
Improvements:	101,600	83,800		
Total:	225,600	207,800	225,700	207,800
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
EDWARDS MARGARET S	01/21/1970	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/05066/ 00653	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:

This address is listed as the
"mailing address" for 532 Cole Road

Debra Wiley - Fwd: 2012-0197-A

From: Debra Wiley
To: Livingston, Jeffrey
Date: 3/20/2012 2:19 PM
Subject: Fwd: 2012-0197-A

Jeff,

Please see attached. Need ZAC comment. Received file today. 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

Debra Wiley - ZAC Comments - Distribution Mtg. of 2/27/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 3/1/2012 12:36 PM
Subject: ZAC Comments - Distribution Mtg. of 2/27/12

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.

2012-0191-A (1438 Kent Road) - **CRITICAL AREA & FLOODPLAIN**
No hearing date assigned as of 3/1/12

2012-0192-A (8700 Liberty Road)
No hearing date assigned as of 3/1/12

2012-0193-A (6805 Wellwood Court)
Administrative Variance - Closing Date: 3/12/12

2012-0194-A - (9895 Belair Road) - **FLOODPLAIN**
No hearing date assigned as of 3/1/12

2012-0195-A (701 E. Joppa Road)
No hearing date assigned as of 3/1/12

2012-0196-SPHXA (246 Cockeysville Road) - **FLOODPLAIN**
No hearing date assigned as of 3/1/12

2012-0197-A (532 Cole Road) - **CRITICAL AREA**
Administrative Variance - Closing Date: 3/19/12

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

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment3-2

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

Comments3-2Critical
area

DEPS

(if not received, date e-mail sent _____)

3-1 and
3-20Comments

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

2-28

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 3-4-12by: Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

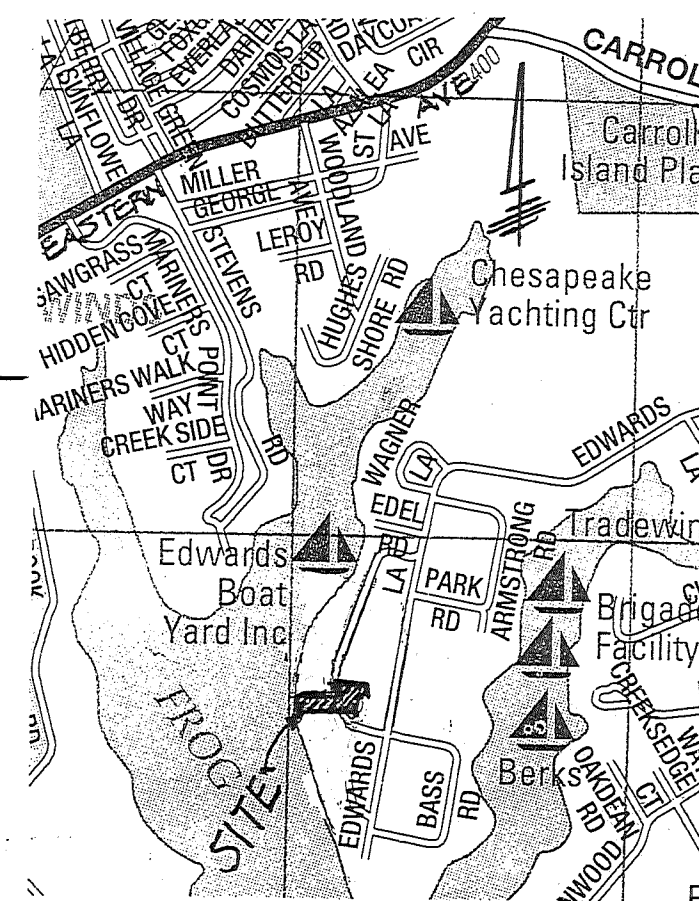
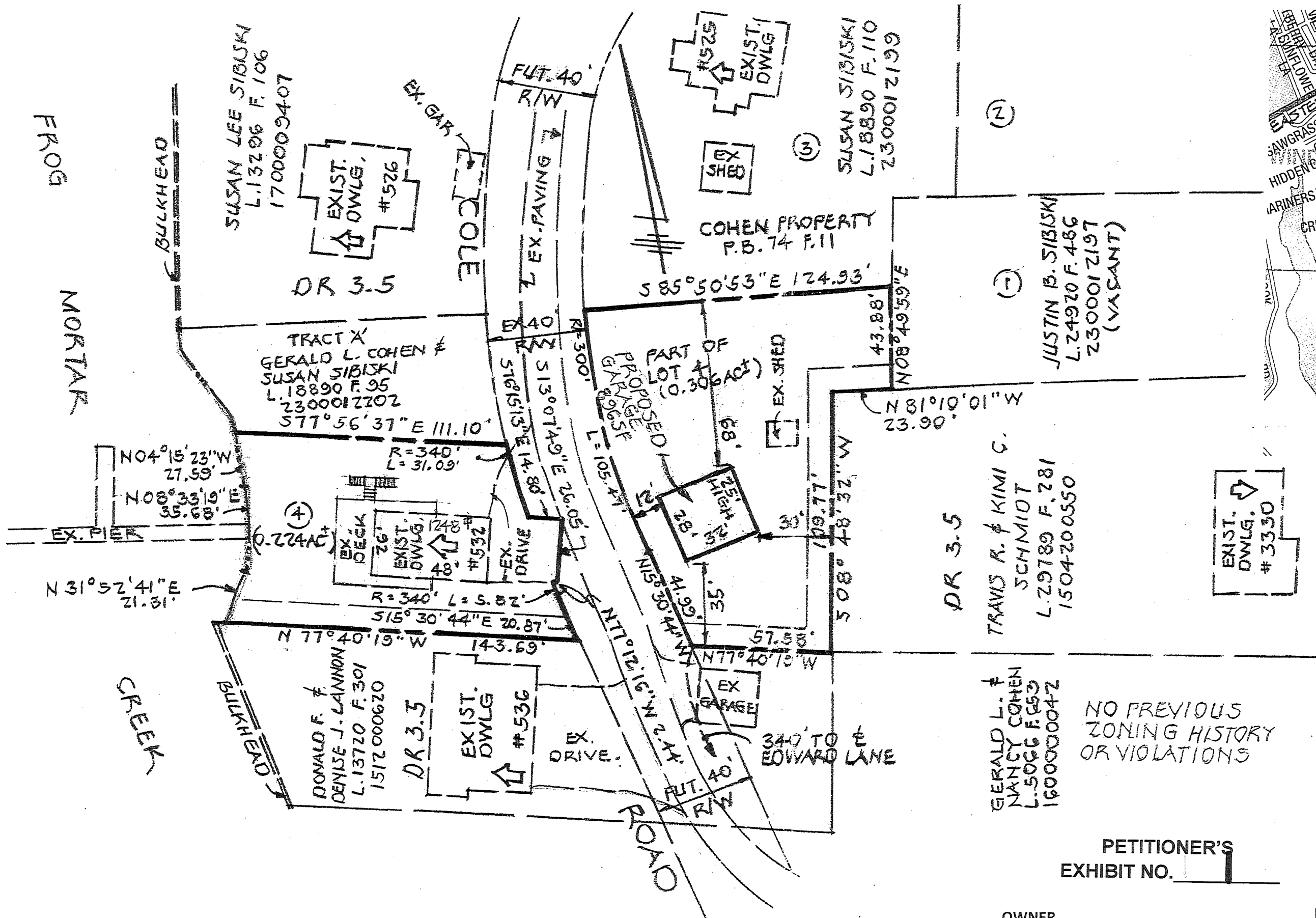
Yes

☐

No

☐

Comments, if any: _____



ZONING MAP# 09152
 SITE ZONED DR 3.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.330 AC±
 OR SQUARE FEET 23,087 S.F.
 HISTORIC NO
 IN CBCA YES
 IN FLOOD PLAIN YES
 UTILITIES
 WATER IS:
 PUBLIC ☒ PRIVATE
 SEWER IS:
 PUBLIC ☒ PRIVATE

PETITIONER'S
 EXHIBIT NO. _____

OWNER
 GERALD L. & NANCY E. COHEN
 532 COLE ROAD
 BALTIMORE, MD. 21220
 L. 18890 F. 088
 ACCT. NO. 2300012200 & 01

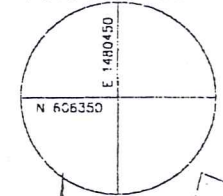
PLAT TO ACCOMPANY
 ADMINISTRATIVE VARIANCE
 532 COLE ROAD
 LOT 4 COHEN PROPERTY PB 74 F 11
 ELECTION DISTRICT 15C6 BALTO. CO., MD.
 SCALE 1 INCH = 40 FEET JANUARY 3, 2012

POINT NO.

COORDINATE TABLE

Pnt. #	North	East
1	11583.30	59852.10
2	11682.40	59884.05
3	11687.74	59701.01
4	11691.89	59674.33
5	11612.84	59682.04
6	11656.20	59668.78
7	11800.11	59718.47
8	11613.73	59509.75
9	11638.12	59395.56
10	11765.40	59879.61
11	11506.03	59821.52
12	11520.69	59380.14
13	11576.76	59392.04
14	11614.04	59397.35
15	11641.55	59395.30
16	11672.48	59378.55
17	11749.36	59527.25
18	11832.21	59569.42
19	11580.23	59871.86
20	11761.18	59899.20
21	11687.41	59814.37
22	11682.88	59379.53
23	11686.56	59504.32
24	11614.91	59504.21
25	11526.19	59521.17
26	11520.33	59565.30
27	11550.09	59515.59
28	11560.79	59554.13
29	11696.31	59548.34
30	11723.64	59553.47
31	11789.99	59586.27
32	11823.24	59611.07
33	11865.24	59544.18
34	11616.51	59638.43

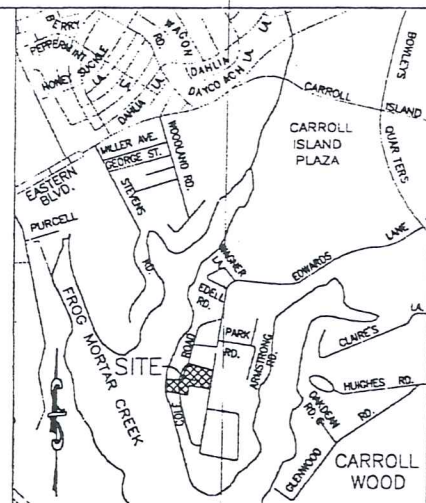
MARYLAND COORDINATE SYSTEM



CURVE DATA:

1. PL. 524 to PL. 525 DELTA = 133°43'31" RADIUS = 173.85' LENGTH = 41.22' TANGENT = 22.71'	2. PL. 522 to PL. 526 DELTA = 05°59'19" RADIUS = 300.00' LENGTH = 31.35' TANGENT = 15.66'	3. PL. 113 to PL. 520 DELTA = 00°58'52" RADIUS = 340.00' LENGTH = 5.82' TANGENT = 2.91'	4. PL. 516 to PL. 517 DELTA = 09°03'00" RADIUS = 340.00' LENGTH = 53.70' TANGENT = 26.91'
5. PL. 523 to PL. 524 DELTA = 37°12'18" RADIUS = 133.88' LENGTH = 75.27' TANGENT = 38.85'	6. PL. 521 to PL. 526 DELTA = 20°08'38" RADIUS = 300.00' LENGTH = 105.47' TANGENT = 53.29'	7. PL. 517 to PL. 116 DELTA = 05°14'21" RADIUS = 340.00' LENGTH = 31.06' TANGENT = 15.56'	

LINE NO.	BEARING	DIST.
11	N 08°38'41" E	5.00'
12	S 85°13'54" W	42.05'
13	N 75°14'23" E	237.52'
14	CH= N 30°34'02" E RADIUS=173.85'	8.00'



SCALE: 1" = 1000'

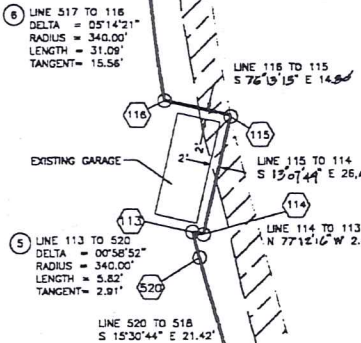
GENERAL NOTES

- Highways and highway widenings, slope easements, drainage and utility easements, access easements, forest buffer areas in fee or easement, forest conservation areas in fee or easement, greenway areas in fee or easement, and storm water management areas, no matter how entitled, shown hereon, are reserved unto the owner and, except for those indicated as private, are hereby offered for dedication to Baltimore County, Maryland. The owner, his personal representatives and assigns may convey said areas by deed, to Baltimore County, Maryland, at no cost. Until such time as said conveyance is accepted by Baltimore County, the owner authorizes Baltimore County, its agents and assigns, the right to enter upon the property for the purpose of installing, constructing, maintaining and repairing roads, utility lines and facilities, and storm water management ponds and facilities.
- Streets and/or roads shown hereon and the mention thereof in deeds are for purposes of descriptions only, and the same are not intended to be dedicated to public use. The title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
- This plat may expire in accordance with the provisions of the Baltimore County Code, Section 26-216.
- The recording of this plat does not guarantee the installation of streets or utilities by Baltimore County.
- Additional information concerning this plat may be obtained from the Baltimore County Department of Permits and Development Management and the Department of Public Works.
- The recording of this plat does not constitute or imply acceptance by the County of any street, easement, park, open space or other public area shown on the plat.
- The owner/developer will comply with the best management practices adopted by the Baltimore County Department of Environmental Protection and Resource Management.
- Except as otherwise indicated, all building restriction lines shown hereon have been placed as the result of an interpretation only of the currently applicable regulations and policies of the Baltimore County Department of Permits and Development Management. Exceptions to these restrictions may apply.
- COORDINATES AND BEARINGS shown on this plat are referred to the system of coordinates established in the Baltimore County Metropolitan District and are based on the following traverse stations:
HUB NO. 11384 - N 12083.15 E 59939.93
HUB NO. 11385 - N 11372.92 E 59835.34
Note: 3 Coordinate ticks for the Maryland Coordinate System are provided for informational purposes only.
- Deed Reference: S.M. 10678/056
- Tax account number: 15-051-90530
- This site is located in the sewerage No.10.
- The plan for the property shown on plat was approved on 1/13/99, PDW File No. XV-708
- Trash collection, snow removal and road maintenance are to be provided to the junction of the panhandle and street right of way.
- The approval of this plat is based upon a reasonable expectation that the water and sewer service which is planned for the development will be available when needed. However, building permits may not be issued until the planned water and sewer facilities are completed and determined to be adequate to serve the proposed development.
- The entire site is within the CHESAPEAKE BAY CRITICAL AREA - (Unlimited Development Area) and within FEMA Flood Zones "A"
- Proposed construction on all lots must comply with County Floodplain Regulations (Min. Floor Elev. = 11.2')
- All lots within the 100-Year Floodplain Area are required to submit elevation certificate prior to final occupancy.
- Certificates of Acknowledgment will be required prior to issuance of Building Permit.
- New construction, including all enclosed accessory structures and garages, must comply with Section 517.1.3.A of the BOCA Code.
- There shall be no clearing, grading, construction, or disturbances of vegetation in the buffer, except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- A variance to the Chesapeake Bay Critical Area Regulations was granted for the continued use of an existing house and lawn in the 100 foot buffer on proposed Lot 4.
- A Stormwater Management waiver was granted on 12/11/98
- Prior to release of any building permits, \$5,227.20 "TREE IN LIEU" amount must be paid to Baltimore County for CBCA forest planting requirement.
- Menomade impervious surfaces are limited to maximum 25% per lot, but only 15% over the entire subdivision. (See approved Final Development Plan)
- Baltimore County Metropolitan District Note: If any lot is sold outside the immediate family, then the Baltimore County "utility construction loan" for that lot would be subject to the accelerated payoff.

PRIVATE EASEMENT NOTES:

The proposed Baltimore County Drainage and Utility Easements shall be recorded prior to the private easements.

All Private Easements for Water House Services within a Baltimore County Drainage and Utility Easement (Hatched the following) is subordinate to the county easement. Any cost of relocation of utilities or damage shall be borne by the beneficiary of the private easement, not Baltimore County.



COLE RD. R/W DETAIL AT LOT 4
SCALE: 1" = 20'

NOTE: AT THE TIME THE GARAGE IS REMOVED, THE OWNER/SUCCESSORS OR ASSIGNS WILL DEDICATE THE AREA SO THAT A 40 FT. WIDE RIGHT OF WAY CAN BE CREATED ALONG COLE ROAD, AT NO COST OF BALTIMORE COUNTY, UPON THE REQUEST OF BALTIMORE COUNTY.

NOTE: A ZONING VARIANCE WILL BE REQUIRED FOR CONSTRUCTING A FUTURE ACCESSORY STRUCTURE ON THIS PORTION OF LOT 4.

SM
74~11

DENSITY CALCULATIONS:

Total area of lots & Tract "A" =	1.912 Ac.±
Total area of Highway Acquisition =	0.339 Ac.±
Total area of plat =	2.251 Ac.±
Open space required =	None (All lots will be family owned) Exemption Granted.
Open space provided =	None (All lots will be family owned)
Parking spaces required =	2 x 4 lots = 8
Parking spaces provided =	8

ZONING CALCULATIONS:

Density:	DR 5.5
Net Area	1.915 Ac.
Road R/W	0.339 Ac.
Gross Area	2.251 Ac.
DR 5.5 Zoning	5.5 x 2.251 = 12 Units
PROPOSED	4 Units (Tract "A" is a Non-Density Parcel)

I hereby certify that I have Reviewed With Due Diligence The Approved Final Development Plan For The Cohen Property Approved Date 7/14/00 And Have Prepared With Due Diligence This Record Plat, Pursuant To That Plan.
R. Alonzo Goldberger 4/13/01
R. Alonzo Goldberger P.E. 10227 Date



OWNERS
LEON P. COHEN
MARIE L. COHEN (Deceased)
Acct# 15 051 90530
Deed 10878/66

OWNER'S CERTIFICATE

The undersigned, owner of the land shown on this plat, hereby certifies that to the best of his knowledge, the requirements of Subsection (c) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland have been complied with, insofar as same concerns the making of this plat and setting of the markers.
Leon P. Cohen 4/13/01
Date
Owner Date

SURVEYOR'S CERTIFICATE

The undersigned, a Registered Land Surveyor of the State of Maryland, does hereby certify that he is the surveyor who prepared this plat and that the land shown on this plat has been laid out, and the plat thereof has been prepared, in compliance with Subsection (c) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the plat and setting of the markers.
Herbert Madsen 17 April 2001
Date
Herbert Madsen (Registered Land Surveyor, Md. #7586) Date



P.W.A. Completed: N/A
Final Plat Checked: P.D.M. 7/24/01
Planning: R. Alonzo Goldberger
Engineering: R. Alonzo Goldberger
House Numbers: 3332, 3333, 3334
Rec. & Perms: 4/13/01

PETITIONER'S
EXHIBIT NO. 5

KEY:

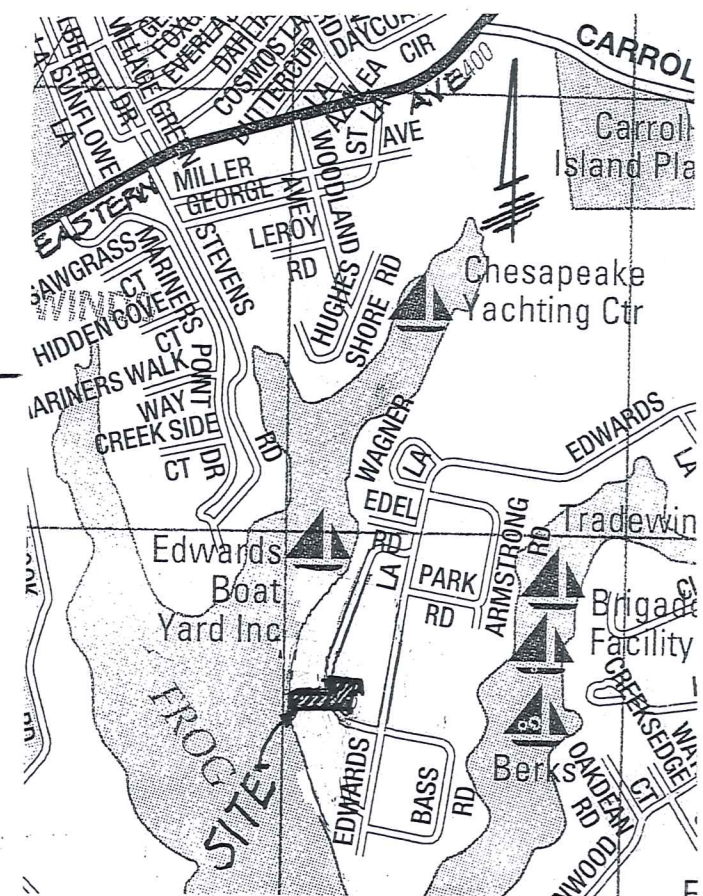
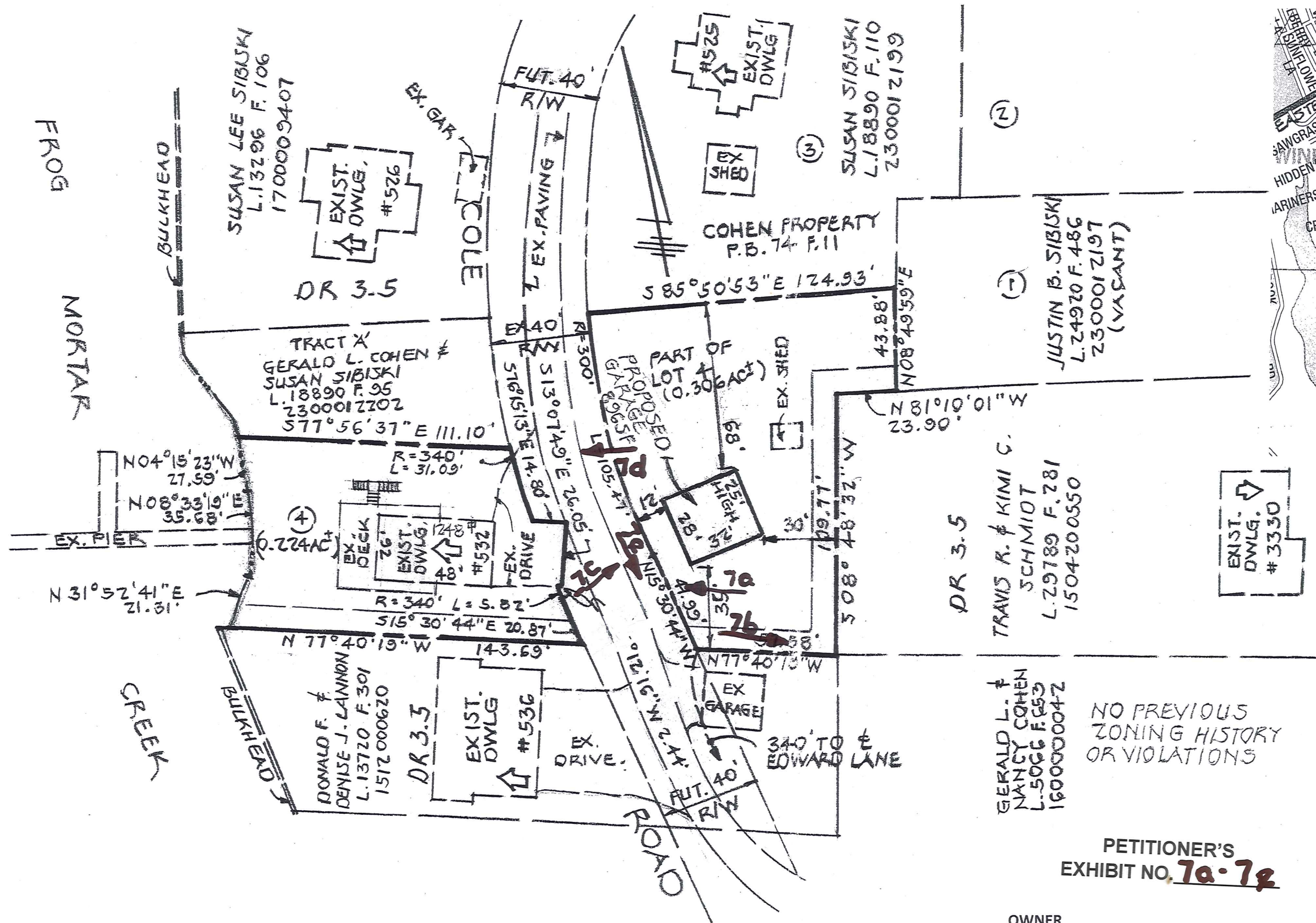
House Number = 3332
M.B.S.L. --- = Minimum Building Setback Line
C.B.C.A. --- = Chesapeake Bay Critical Area Buffer

Record Plat of the
COHEN PROPERTY
Edwards Lane and Cole Road

BALTIMORE COUNTY DISTRICT 15 C 5 MARYLAND
SCALE: 1" = 40' DATE: July 26, 2000
ENGINEER
R. A. Childress & Assoc., Inc.
713 Pheasant Drive
Forest Hill, Maryland 21050
Owner
Marie L. & Leon P. Cohen
Baltimore, MD. 21220
(410) - 336-4414

MSA SSU 1236-16876

74-11



VICINITY MAP
SCALE 1"=1000'

ZONING MAP# 091B2
SITE ZONED DR 3.5
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE 0.330 AC±
OR SQUARE FEET 23,087 S.F.
HISTORIC NO
IN CBCA. YES
IN FLOOD PLAIN YES
UTILITIES
WATER IS:
PUBLIC ☒ PRIVATE ☐
SEWER IS:
PUBLIC ☒ PRIVATE ☐

PHOTOS

PLAT TO ACCOMPANY
ADMINISTRATIVE VARIANCE

532 COLE ROAD
LOT 4 COHEN PROPERTY PB 74 F 11
ELECTION DISTRICT 15C6 BALTO. CO., MD.
SCALE 1 INCH = 40 FEET JANUARY 3, 2012

PETITIONER'S
EXHIBIT NO. 7a-7e

OWNER
GERALD L. & NANCY E. COHEN
532 COLE ROAD
BALTIMORE, MD. 21220
L. 18890 F. 088
ACCT. NO. 2300012200 & 01

NO PREVIOUS
ZONING HISTORY
OR VIOLATIONS

GERALD L. &
NANCY COHEN
L. 5066 F. 653
1600000042

TRAVIS R. & KIMI C.
SCHMIDT
L. 29789 F. 781
1504200550

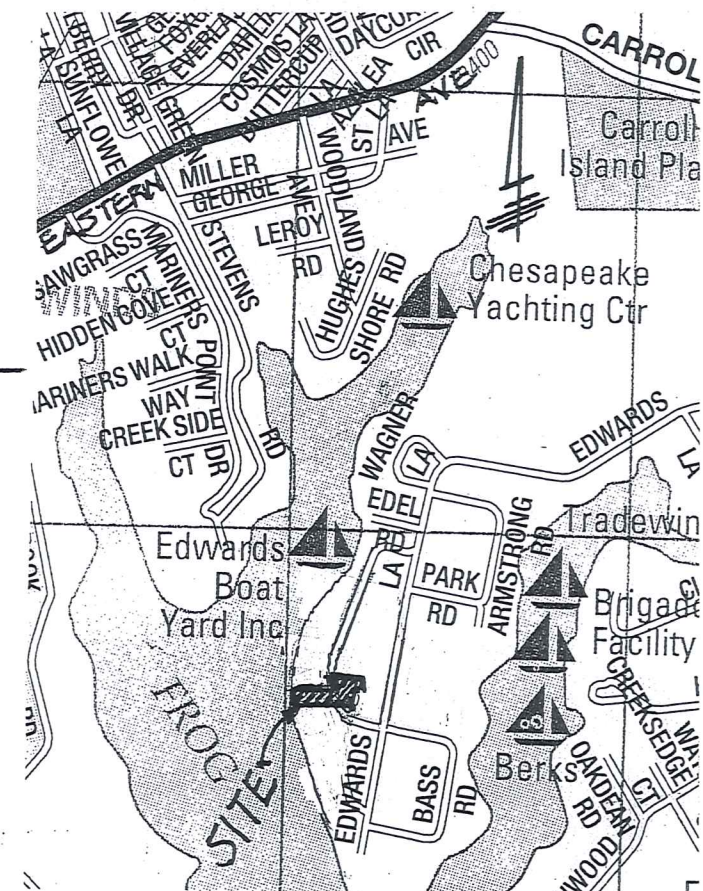
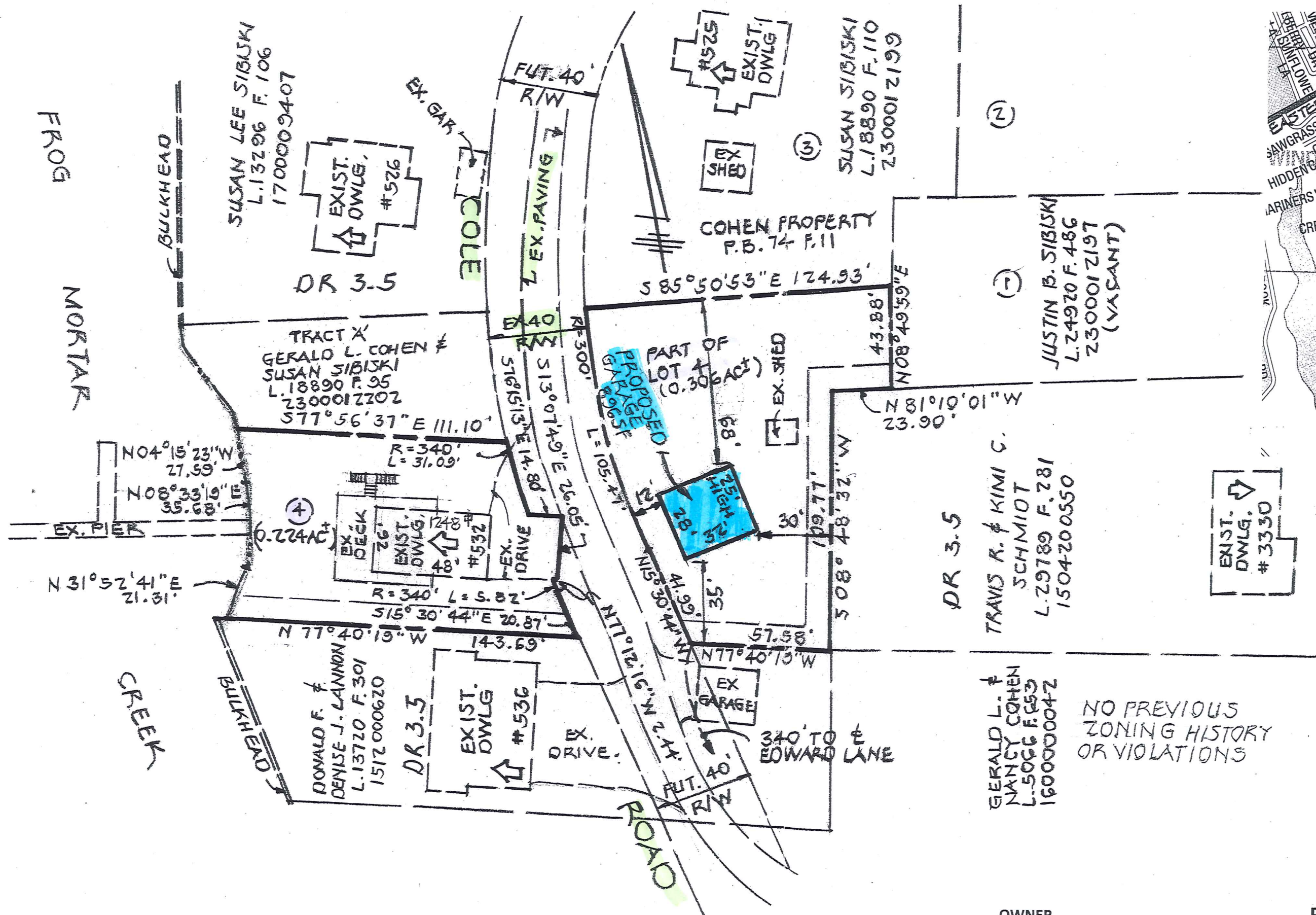
JUSTIN B. SIBISKI
L. 24920 F. 486
2300012197
(VACANT)

SUSAN SIBISKI
L. 18890 F. 110
2300012199

SUSAN LEE SIBISKI
L. 13296 F. 106
1700009407

TRACT X
GERALD L. COHEN &
SUSAN SIBISKI
L. 18890 F. 95
2300012202

DONALD F. &
DENISE J. CANNON
L. 13720 F. 301
1512000620



VICINITY MAP
SCALE 1" = 1000'

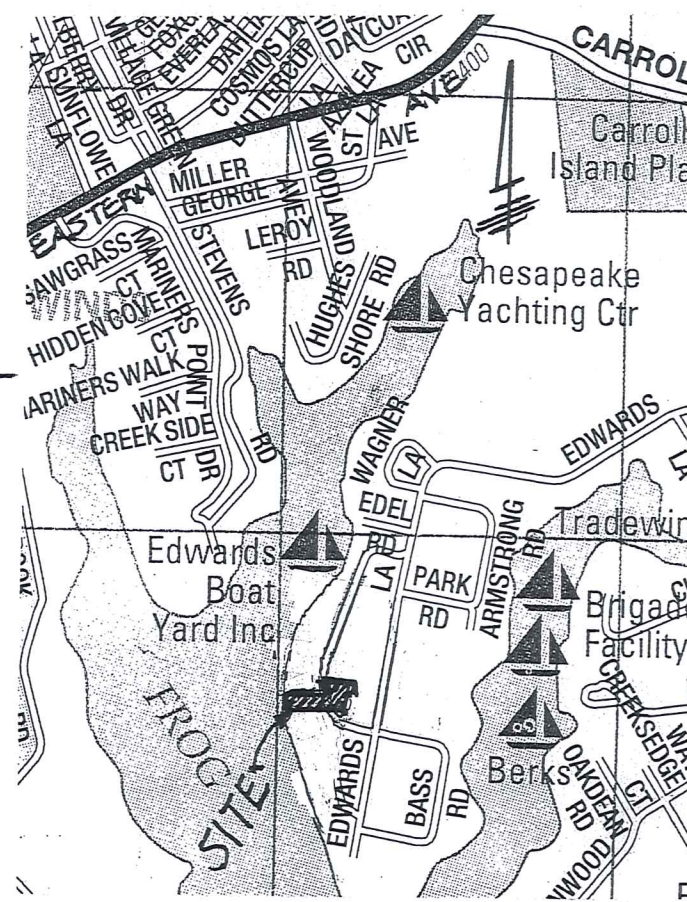
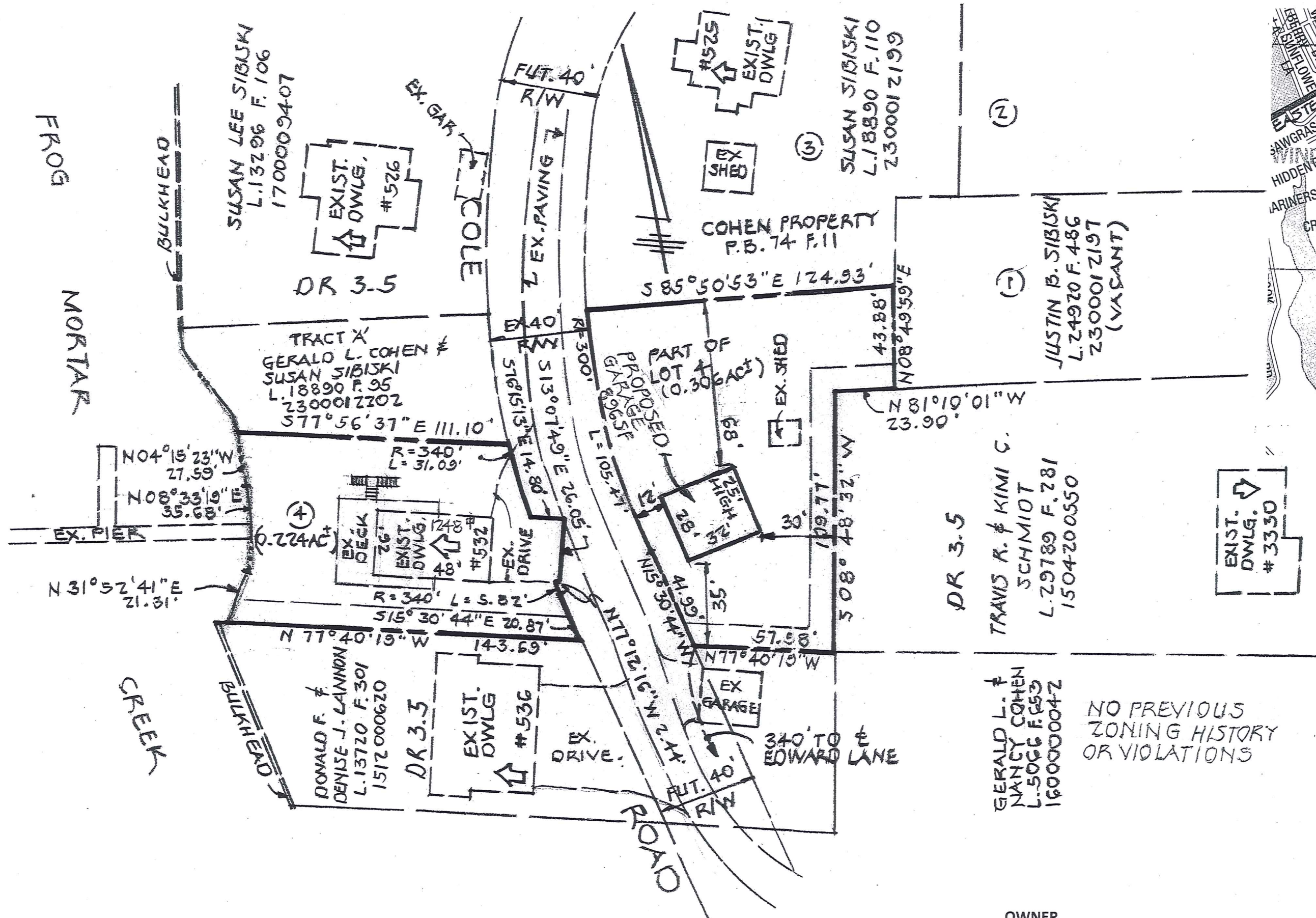
ZONING MAP#	091B2
SITE ZONED	DR 3.5
ELECTION DISTRICT	15
COUNCIL DISTRICT	6
LOT AREA ACREAGE	0.530 AC±
OR SQUARE FEET	23,087 S.F.
HISTORIC	NO
IN CBCA	YES
IN FLOOD PLAIN	YES
UTILITIES	
WATER IS:	
PUBLIC	☒
PRIVATE	☐
SEWER IS:	
PUBLIC	☒
PRIVATE	☐

NO PREVIOUS
ZONING HISTORY
OR VIOLATIONS

OWNER
GERALD L. & NANCY E. COHEN
532 COLE ROAD
BALTIMORE, MD. 21220
L. 18890 F. 088
ACCT. NO. 2300012200 & 01

**PLAT TO ACCOMPANY
ADMINISTRATIVE VARIANCE
532 COLE ROAD
LOT 4 COHEN PROPERTY PB 74 F 11
ELECTION DISTRICT 15C6 BALTO. CO., MD.
SCALE 1 INCH = 40 FEET JANUARY 3, 2012**

2012-0197A



VICINITY MAP
SCALE 1" = 1000'

ZONING MAP#	09182
SITE ZONED	DR 3.5
ELECTION DISTRICT	15
COUNCIL DISTRICT	6
LOT AREA ACREAGE	0.530 AC±
OR SQUARE FEET	23,087 S.F.
HISTORIC	NO
IN CBCA	YES
IN FLOOD PLAIN	YES
UTILITIES	
WATER IS:	
PUBLIC	☒
PRIVATE	☐
SEWER IS:	
PUBLIC	☒
PRIVATE	☐

NO PREVIOUS
ZONING HISTORY
OR VIOLATIONS

OWNER
GERALD L. & NANCY E. COHEN
532 COLE ROAD
BALTIMORE, MD. 21220
L. 18890 F. 088
ACCT. NO. 2300012200 & 01

**PLAT TO ACCOMPANY
ADMINISTRATIVE VARIANCE**
532 COLE ROAD
LOT 4 COHEN PROPERTY PB 74 F 11
ELECTION DISTRICT 15C6 BALTO. CO., MD.
SCALE 1 INCH = 40 FEET JANUARY 3, 2012

2012-0197A