

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(303A S. Rolling Road) *

1st Election District *

1st Council District *

Michael A. Jacobus & Cary G. Barbin, *

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0268-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a minimum net lot area of 8,500 sq. ft. in lieu of the required 20,000 sq. ft. The variance petition seeks relief from B.C.Z.R. §1B02.3.C.1: (1) to permit a side yard setback of 15 ft. in lieu of the required 25 ft. and a side yard setback sum of 30 ft. in lieu of the required 40 ft.; and (2) to permit a minimum lot width of 50 ft. in lieu of the required 100 ft.

The subject property and requested relief is more fully depicted on the revised site plan that was marked and accepted into evidence as Petitioners' Exhibit 1. Appearing at the public hearing in support of the requests was Michael A. Jacobus and Cary G. Barbin. Bruce E. Doak, from Bruce E. Doak Consulting, LLC (whose firm prepared the site plan) appeared on behalf of the Petitioners. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. The next door neighbors at 301 Rolling Road attended the hearing and opposed the relief. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP) dated July 16, 2014, which did not object to the requests.

The subject property is approximately 8,500 square feet and is zoned DR 2. The property

is unimproved, and is a portion (50 ft. wide) of Lot 47 shown on the Amended Plat of Summit

ORDER RECEIVED FOR FILING

Date 8-4-14

By [Signature]

Park. Exhibit 3. Petitioners noted that in 1949 a 30 ft. wide portion of Lot 47 was conveyed to the then-owner of Lot 46. Exhibit 5. The Petitioners acquired the property in 2013, and they stated that this 50 ft. wide portion of Lot 47 has its own tax account and is billed separately from Lot 48, on which the dwelling known as 303 S. Rolling Road is situated.

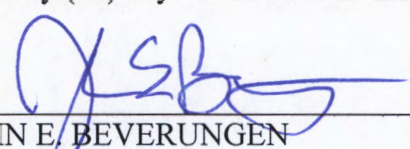
While it is at least arguable that the property is unique for purposes of the zoning regulations, I do not believe that variance relief can be granted in this case. Section 307 of the B.C.Z.R. expressly provides that "[n]o increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance." In this case, the grant of variance relief would do just that: permit construction in a D.R. 2 zone of a single family dwelling on an undersized lot (8,500 sq. ft. in lieu of the required 20,000 sq. ft.). This would in fact increase the "maximum gross residential density" of 2.0 dwelling units per acre in the D.R. 2 zone. B.C.Z.R. § 1B02.2.A.

THEREFORE, IT IS ORDERED this 4th day of August, 2014, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a minimum net lot area of 8,500 sq. ft. in lieu of the required 20,000 sq. ft., be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to B.C.Z.R. § 1B02.3.C.1: (1) to permit a side yard setback of 15 ft. in lieu of the required 25 ft. and a side yard setback sum of 30 ft. in lieu of the required 40 ft.; and (2) to permit a minimum lot width of 50 ft. in lieu of the required 100 ft., be and is hereby DENIED.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 8-4-14

2

By bw



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

August 4, 2014

Bruce E. Doak
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, Maryland 21053

RE: Petitions for Special Hearing and Variance
Property: 303A S. Rolling Road
Case No.: 2014-0268-SPHA

Dear Mr. Doak:

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Harold Rose and Sandra O'Connor, 301 S. Rolling Road, Baltimore, MD 21228



PETITION FOR ZONING HEARING(S)

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 #303 A SOUTH ROLLING ROAD which is presently zoned DR2
Deed References: JLE 34265/44 10 Digit Tax Account # 0108300390
Property Owner(s) Printed Name(s) MICHAEL A. JACOBUS & CARY G. BARBIN

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET

2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

MICHAEL A. JACOBUS / CARY G. BARBIN
Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

303 SOUTH ROLLING ROAD BALTIMORE MD
Mailing Address City State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC
Name - Type or Print

Signature

3001 BAKER SCHOOLHOUSE ROAD FREELAND MD
Mailing Address City State

Zip Code

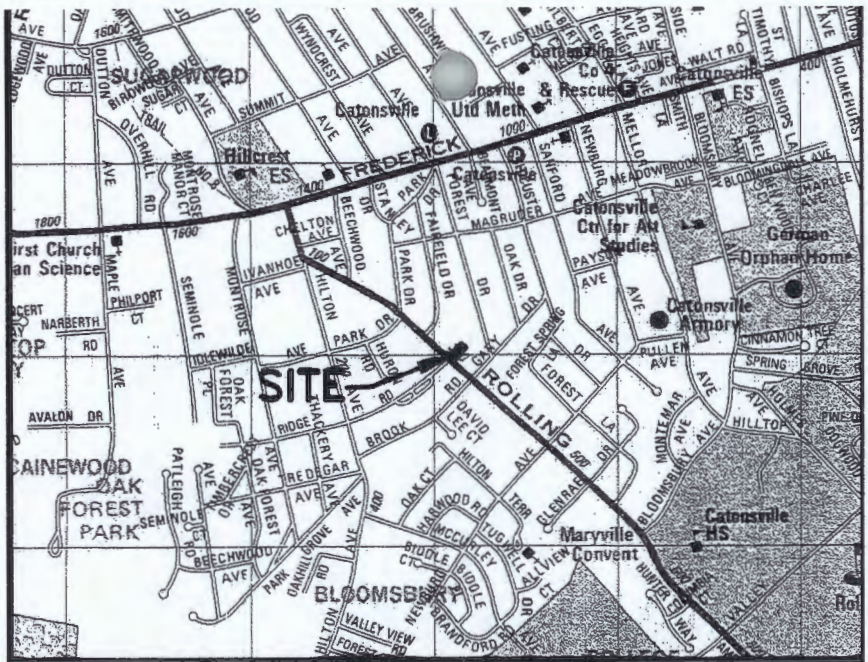
Telephone #

Email Address

BDOAK@BRUCEDOAKCONSULTING.COM
Do Not Schedule Dates: Reviewer JCM

CASE NUMBER 2014-02685AHA Filing Date 6/11/14

COMPANION CASE: 2014-02685PHM



Vicinity Map — Scale: 1' = 2000' 

ADC The Map People — Permitted Use # 20612205

PETITION REQUESTS # 303 A SOUTH ROLLING ROAD

Variances

1. To permit a side yard setback of 15 feet in lieu of the required 25 feet and a side yard setback sum of 30 feet in lieu of the required 40 feet per Section 1B02.3C1 (BCZR)
2. To permit a minimum lot width of 50 feet in lieu of the required 100 feet per Section 1B02.3C1 (BCZR)

Special Hearing

1. To permit a minimum net lot area of 8500 square feet in lieu of the required 20,000 square feet per Section 1B02.3C1 (BCZR)

PETITION REQUESTS # 303 SOUTH ROLLING ROAD

Variances

1. To permit a minimum lot width of 80 feet in lieu of the required 100 feet per Section 1B02.3C1 (BCZR).

Special Hearing

1. To permit a minimum net lot area of 13,600 square feet in lieu of the required 20,000 square feet per Section 1B02.3C1 (BCZR).

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

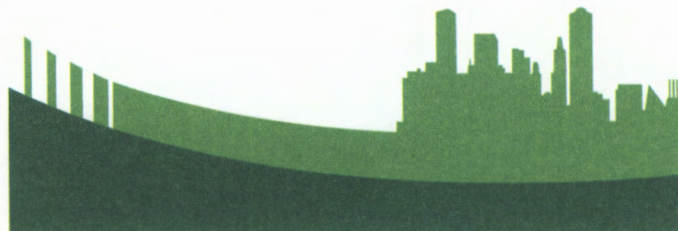
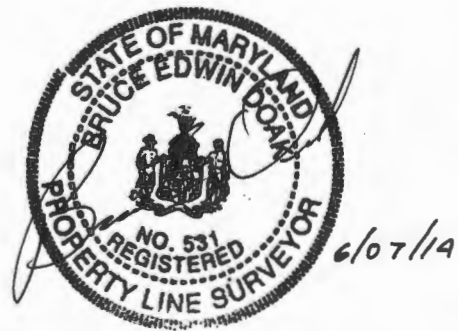
#303 A South Rolling Road
First Election District First Councilmanic District
Baltimore County, Maryland

Beginning at a point on the north side of South Rolling Road, approximately 25 feet northerly from the center line of said South Rolling Road and opposite of the centerline of Ridge Road.

The subject property being the eastern 50 feet of Lot 47 of the plat entitled "Summit Park", dated February 4, 1927 and recorded in the land records of Baltimore County in Plat Book WPC 8, folio 75.

Containing 8,500 square feet of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 legal owner/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 legal owner/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:

Case Number: 2014-02685PHA
Property Address: #303 A SOUTH ROLLING ROAD
Property Description: NORTHEAST SIDE OF ROLLING ROAD
240' NWLY OF INTERSECTION OF GARY DRIVE
Legal Owners (Petitioners): MICHAEL A. JACOBUS & CARY G. BARRIN
Contract Purchaser/Lessee: NA

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL A. JACOBUS
Company/Firm (if applicable): _____
Address: 303 SOUTH ROLLING ROAD
BALTIMORE, MD 21228
Telephone Number: 912-580-7161

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

No. 112229
Date: 6/11/14

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
6/12/2014 6/11/2014 11:23:40 5
REG 4505 WALKIN REOS LRS
RECEIPT # 741270 6/11/2014 GLN
5 528 ZOWING VERIFICATION
CH NO. 112229
Recpt Tot 1300.00
1300.00 CR 1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				300.00

Total: 300.00

Rec From: B. DOAK

For: CASES: 2014-0267-SPHA
2014-0268-SPHA

DISTRIBUTION

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

CASHIER'S
VALIDATION

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

July 11, 2014

Re:

Case Number: 2014- 0268-SPHA

Petitioner / Developer: Michael Jacobus & Cary Barbin

Date of Hearing: July 31, 2014

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

Attention: 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 **303A South Rolling Road**.

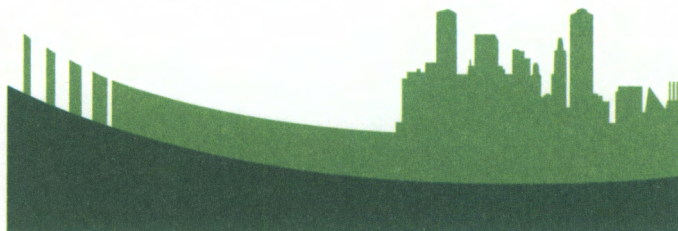
The sign(s) were posted on **July 10, 2014**.

Sincerely,

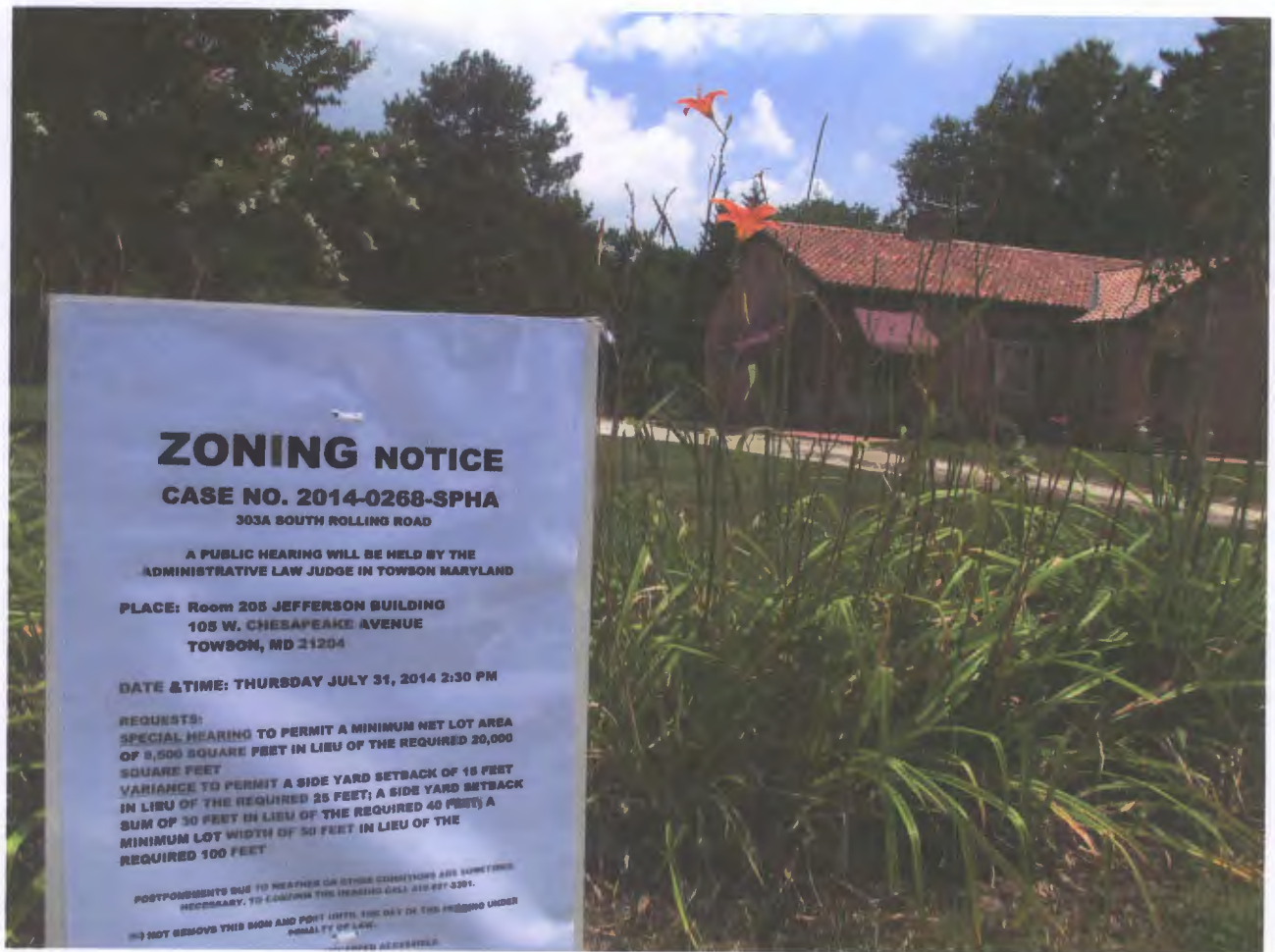


Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

July 10, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on July 10, 2014.

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0268-SPHA

303 A Rolling Road

NE/s of Rolling Road, 240 ft. NW from Intersection of Gary Drive

1st Election District - 1st Councilmanic District

Legal Owner(s): Michael Jacobus & Cary Barbin

Special Hearing to permit a minimum net lot area of 8500 sq. ft. in lieu of the required 20,000 sq. ft. **Variance** to permit a side yard setback of 15 ft. in lieu of the required 25 ft. and a side yard setback of sum of 30 ft. in lieu of the required 40 ft.; to permit a minimum lot width of 50 ft. in lieu of the required 100 ft.

Hearing: Thursday, July 31, 2014 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the 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.

7/225 July 10

986137



KEVIN KAMENETZ
County Executive

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

July 1, 2014

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: 2014-0268-SPHA

303 A Rolling Road

NE/s Rolling Road, 240 ft. NW from intersection of Gary Drive

1st Election District – 1st Councilmanic District

Legal Owners: Michael Jacobus & Cary Barbin

Special Hearing to permit a minimum net lot area of 8500 sq. ft. in lieu of the required 20,000 sq. ft. Variance to permit a side yard setback of 15 ft. in lieu of the required 25 ft. and a side yard setback of sum of 30 ft. in lieu of the required 40 ft.; to permit a minimum lot width of 50 ft. in lieu of the required 100 ft.

Hearing: Thursday, July 31, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Michael Jacobus, Cary Barbin, 303 S. Rolling Road, Baltimore 21228
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 11, 2014.**
- (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, July 10, 2014 Issue - Jeffersonian

Please forward billing to:

Michael Jacobus
303 South Rolling Road
Baltimore, MD 21228

912-580-7161

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:

CASE NUMBER: 2014-0268-SPHA

303 A Rolling Road

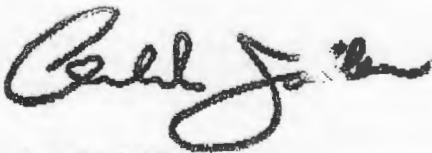
NE/s Rolling Road, 240 ft. NW from intersection of Gary Drive

1st Election District – 1st Councilmanic District

Legal Owners: Michael Jacobus & Cary Barbin

Special Hearing to permit a minimum net lot area of 8500 sq. ft. in lieu of the required 20,000 sq. ft. Variance to permit a side yard setback of 15 ft. in lieu of the required 25 ft. and a side yard setback of sum of 30 ft. in lieu of the required 40 ft.; to permit a minimum lot width of 50 ft. in lieu of the required 100 ft.

Hearing: Thursday, July 31, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE 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.

M E M O R A N D U M

DATE: September 4, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0268-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 3, 2014. 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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
303A Rolling Road S; NE/S Rolling Road, * OF ADMINISTRATIVE
240' NW of Gary Drive *
1st Election & 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Michael Jacobus & Cary Barbin * BALTIMORE COUNTY
Petitioner(s) *
* 2014-268-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

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

JUN 20 2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of June, 2014, a copy of the foregoing Entry of Appearance was mailed Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-0268-SPHA

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6/23</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
<u>7/16</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>6/17</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>NO Obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>7/10/14</u>	
SIGN POSTING	Date: <u>7/10/14</u> by <u>DOCK</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

July 24, 2014

Michael A. Jacobus
Cary G. Barbin
303 A South Rolling Road
Baltimore MD 21228

RE: Case Number: 2014-0268 SPHA, Address: 303 A South Rolling Road

Dear Mr. Jacobus & Mr. Barbin :

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 11, 2014. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bruce E Doak, Bruce E Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 6/17/14

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

RE: Baltimore County
Item No. 2014-0268-SPHA.
Special Hearing Variance
Michael A. Jacobus &
Cary G. Barbin
303A Rolling Road South

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 6/16/14. A field inspection and internal review reveals that an entrance onto MD166 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0268-SPHA

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief
Development Manager
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 - RE: Service Request Form Cary Barbin hearing 7-31-14.docx

From: Julie Sanders
To: bdoak@bruceedoakconsulting.com
Date: 7/30/2014 9:29 AM
Subject: RE: Service Request Form Cary Barbin hearing 7-31-14.docx
CC: Wiley, Debra
Attachments: image003.jpg

Good Morning,

FYI: Ms. Phan will meet you in the hearing room at 1:15 tomorrow.

>>> Trisha Pinckney <tpinckney@dantlicorp.com> 7/29/2014 4:30 PM >>>
Hello,

Thank you kindly for the opportunity to support Baltimore County in this effort.

Ms. Nguyet Phan ("New-Et" "Fan") will be providing the sign language interpretation service on July 31, 2014.

Ms. Phan is a fluent sign language speaker and most of her experience has been obtained from training, education, and having a deaf sister. She is proficient in the deaf culture and is currently pursuing a degree in Sign Language Interpretation from Gallaudet University in Washington, D.C. Ms. Phan has been with Dantli Corp for over a year and has provided superior service to previous clients.

Please let me know if you need anything else.

Thank you again for this opportunity. We look forward to supporting Baltimore County.

Warmest Regards,

Trisha Pinckney

Trisha Pinckney
President
Dantli Corp
(office) 301-769-6933
(cellular) 301-821-7974



www.dantlicorp.com
EDWOSB, MBE/DBE, SWaM Certified Small Business

Addendum 1

6171 16

THIS DEED, Made this 3rd day of June in the year one thousand nine hundred and eighty, by and between Taylor F. Johnston and Stella H. Johnston, his wife, parties of the first part, and Harold A. Rose and Sandra A. O'Connor, his wife, parties of the second part, all of Baltimore County, State of Maryland.

WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, this day paid, the receipt of which is hereby acknowledged, the said parties of the first part doth hereby grant and convey unto the said parties of the second part, as tenants by the entireties, the survivor of them, their assigns, the heirs and assigns of the survivor, in fee simple, all those lots of ground situate and lying in the First Election District of Baltimore County, State of Maryland, and described as follows:

The first thereof being known and designated as Lot No. 46 in Section "F" as shown on the amended Plat of Sections A, B, C, E and F of The Summit Park Company, which Plat is recorded among the Land Records of Baltimore County in Plat Book 8, folio 75.

BEGINNING for the second thereof on the northeast side of Rolling Road at the distance of 320 feet northwesterly from the intersection of the northeast side of Rolling Road and the northwest side of Gary Avenue, said place of beginning being at the point where the Northeast side of Rolling Road is intersected by the division line between Lots Nos. 46 and 47 in Section F, as shown on the amended Plat of Sections A, B, C, E and F of the Summit Park Company's property, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8, folio 75, and running thence with and binding on the aforementioned division line northeasterly 170 feet to the rear line of the lots fronting on Rolling Road and thence southeasterly binding on said rear line and on the rear line of Lot No. 47 for a distance of 30 feet, thence leaving said rear line and running for a line of division now made parallel to the first line of this description and 30 feet distant therefrom measured at right angles there to for a distance of 170 feet to the northeast side of Rolling Road aforesaid, and thence running with and binding thereon northwesterly 30 feet to the place of beginning.

The improvements on the hereinbefore described parcels of ground being known as 301 South Rolling Road.

BEING the same lots of ground and premises which, by deed dated May 27, 1968 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4878, folio 625 etc. was granted and conveyed by Howard E. Crook, Jr. and Katharine C. Crook, his wife unto Taylor F. Johnston and Stella H. Johnston, his wife, the Grantors herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or anywise appertaining.

3420000 1000000

Honorable John Beverungen

Administrative Law Judge

Re: Case No. 2014-0268 Opposition Addendum 2

Dear Judge Beverungen,

We the undersigned oppose the applicants proposed requests

1. The footprint of the proposed residence is totally out of character not only to our block of South Rolling Road, but the entire neighborhood as can be seen in Figure 4.
2. The plan that accompanied the applicant's request notes that a perpetual driveway easement must be created on the applicant's existing property to the southeast of the proposed residence although this easement is not shown on the plan. This further demonstrates that the 50 foot wide lot the applicant is proposing cannot 'stand on its own' without access from the adjoining property. We are unaware of any such condition existing in our neighborhood.
3. While the applicant notes that the proposed residence is for a 'family member' this is irrelevant to the issues at hand and should not be considered as justification for the requested variances as might typically be considered if the applicant were seeking to construct an attached apartment for a family member under 400.4, c.1.b of the zoning code.

Given the negative impact that the applicant's proposal would have on our historic community, we request that the applicant's request be denied.

SIGNATURE

ADDRESS

DATE

3/H

215 S Rolling Rd

7/21/14

Theresa Davis

213 S. Rolling Rd.

7/21/14

Theresa Shuf

302 S. Rolling Rd

7/21/14

Honorable John Beverungen

Administrative Law Judge

Re: Case No. 2014-0268 Opposition Addendum 2

Dear Judge Breverungen,

We the undersigned oppose the applicants proposed requests

1. The footprint of the proposed residence is totally out of character not only to our block of South Rolling Road, but the entire neighborhood as can be seen in Figure 4.
2. The plan that accompanied the applicant's request notes that a perpetual driveway easement must be created on the applicant's existing property to the southeast of the proposed residence although this easement is not shown on the plan. This further demonstrates that the 50 foot wide lot the applicant is proposing cannot 'stand on its own' without access from the adjoining property. We are unaware of any such condition existing in our neighborhood.
3. While the applicant notes that the proposed residence is for a 'family member' this is irrelevant to the issues at hand and should not be considered as justification for the requested variances as might typically be considered if the applicant were seeking to construct an attached apartment for a family member under 400.4, c.1.b of the zoning code.

Given the negative impact that the applicant's proposal would have on our historic community, we request that the applicant's request be denied.

SIGNATURE

ADDRESS

DATE

Sarah Johannes 210 S. Rolling Rd.

7/27/14

Matthew J. Reider 1308 Ridge Rd

7/29/14

Sandra A. OConnor & Harold A. Rose

301 S. Rolling RD.

Baltimore MD 21228

Honorable John Beverungen

Administrative Law Judge

Re: Case No. 2014-0268

7/21/2014

Dear Judge Breverungen

We are residents of 301 South Rolling Road where the applicant's proposal abuts our property to the southeast. We have been residents of this property since June of 1980 and oppose the applicant's proposed development. Our property is noted below in Figure 1 as shown on the latest aerial photography available through Baltimore County's *My Neighborhood* web application (<http://myneighborhood.baltimorecountymd.gov/>). Our property is noted with a pin below and the applicant's properties are immediately to the southeast of our property.



Figure 1

Figure 2 below is a similar extraction from the *My Neighborhood* application showing both property lines and the outlines of all buildings providing greater clarity to the physical location of residences in our community. Please be advised that our property at 301 South Rolling Road is shown incorrectly in the *My Neighborhood* application. Sometime between 1947 and 1950, an additional thirty (30) foot strip was conveyed to the former owners of our property for consolidation into our current lot. Our deed (Liber 6171, Folio 0416) attached hereto clearly indicates this thirty foot acquisition.



Figure 2

The correct configuration of our property is shown in red below in Figure 3.



Figure 3

Finally, Figure 4 below shows the residences along our side of the street highlighted for clarity. The applicant's proposed residence footprint is shown in orange.



Figure 4

The footprint of the proposed residential construction is clearly out of character to our neighborhood which is designated as the *Catonsville and Summit Park National Register Historic District*. The existence of this District is acknowledged in the notes on the applicant's plan.

While the footprints of residences have not been highlighted on the opposite side of South Rolling Road, you will notice that the footprints of these residences as shown in Figures 2, 3 and 4 are similar in character to those on our side of the street as well as residences on adjoining streets in our neighborhood.

We request that the applicant's proposal to construct this stand-alone residence and the applicant's request for variances permitting such construction be denied for the following reasons:

1. The footprint of the proposed residence is totally out of character not only to our block of South Rolling Road, but the entire neighborhood as can be seen in Figure 4.

2. The plan that accompanied the applicant's request notes that a perpetual driveway easement must be created on the applicant's existing property to the southeast of the proposed residence although this easement is not shown on the plan. This further demonstrates that the 50 foot wide lot the applicant is proposing cannot 'stand on its own' without access from the adjoining property. We are unaware of any such condition existing in our neighborhood.
3. While the applicant notes that the proposed residence is for a 'family member' this is irrelevant to the issues at hand and should not be considered as justification for the requested variances as might typically be considered if the applicant were seeking to construct an attached apartment for a family member under 400.4, c.1.b of the zoning code.

Given the negative impact that the applicant's proposal would have on our historic community, we request that the applicant's request be denied.

Attached is a copy of the page in our deed showing the additional 30 feet to our property. (Addendum 1)

Also attached is a letter signed by neighbors who also oppose the applicant's proposal. (Addendum 1)

Sandra A. OConnor

Sandra A. O'Connor

7/21/14

Harold A. Rose

Harold A. Rose

7/21/14

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 23, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For June 23, 2014
Item No. 2014-0225, 0265, 0266, 0267, 0268 and 0269

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\ZAC06232014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 16, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 303A Rolling Road

RECEIVED

INFORMATION:

JUL 21 2014

Item Number: 14-267 and 14-268

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Michael Jacobus

Zoning: DR 2

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

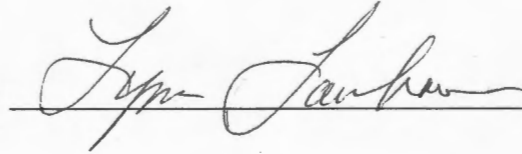
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking a Special Hearing to permit a minimum net lot area of 8,500 square feet in lieu of the required 20,000 square feet for the existing vacant lot at 303-A Rolling Road. The petitioner is also seeking variance requests to permit a side yard setback of 15 feet in lieu of the required 25 feet and a side yard setback sum of 30 feet in lieu of the required 40 feet as well as a request to permit a minimum lot width of 50 feet in lieu of the required 100 feet. The petitioner is also seeking a Special Hearing to permit a minimum net lot area of 13,600 square feet in lieu of the required 20,000 square feet and a variance to permit a minimum lot width of 80 feet in lieu of the required 100 feet for the existing house at 303 Rolling Road.

The Department of Planning does not object to the petitioner's Special Hearing request for an undersized lot in DR 2. While the lot is smaller than lots located on Rolling Road there are lots of similar size nearby on Ridge Road. The proposed setbacks for the proposed dwelling are also similar to existing setbacks on Ridge Road. Therefore the Department of Planning also has no objection to the petitioner's variance subject to the following conditions:

1. The proposed dwelling should share the existing driveway with 303 Rolling Road to reduce the number of curb cuts on Rolling Road. Show the driveway reconfiguration correctly to access the proposed garage.
2. Show the building materials and colors for the proposed elevations for 303-A on the site plan.
3. Show the house on the lot at the required front average setback per section 303.1 of the Baltimore County Zoning Regulations.

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

Division Chief:
AVA/LL

A handwritten signature in cursive script, appearing to read "Lynn Sanborn", is written over a horizontal line.

Real Property Data Search (w1)

Guide to searching the database

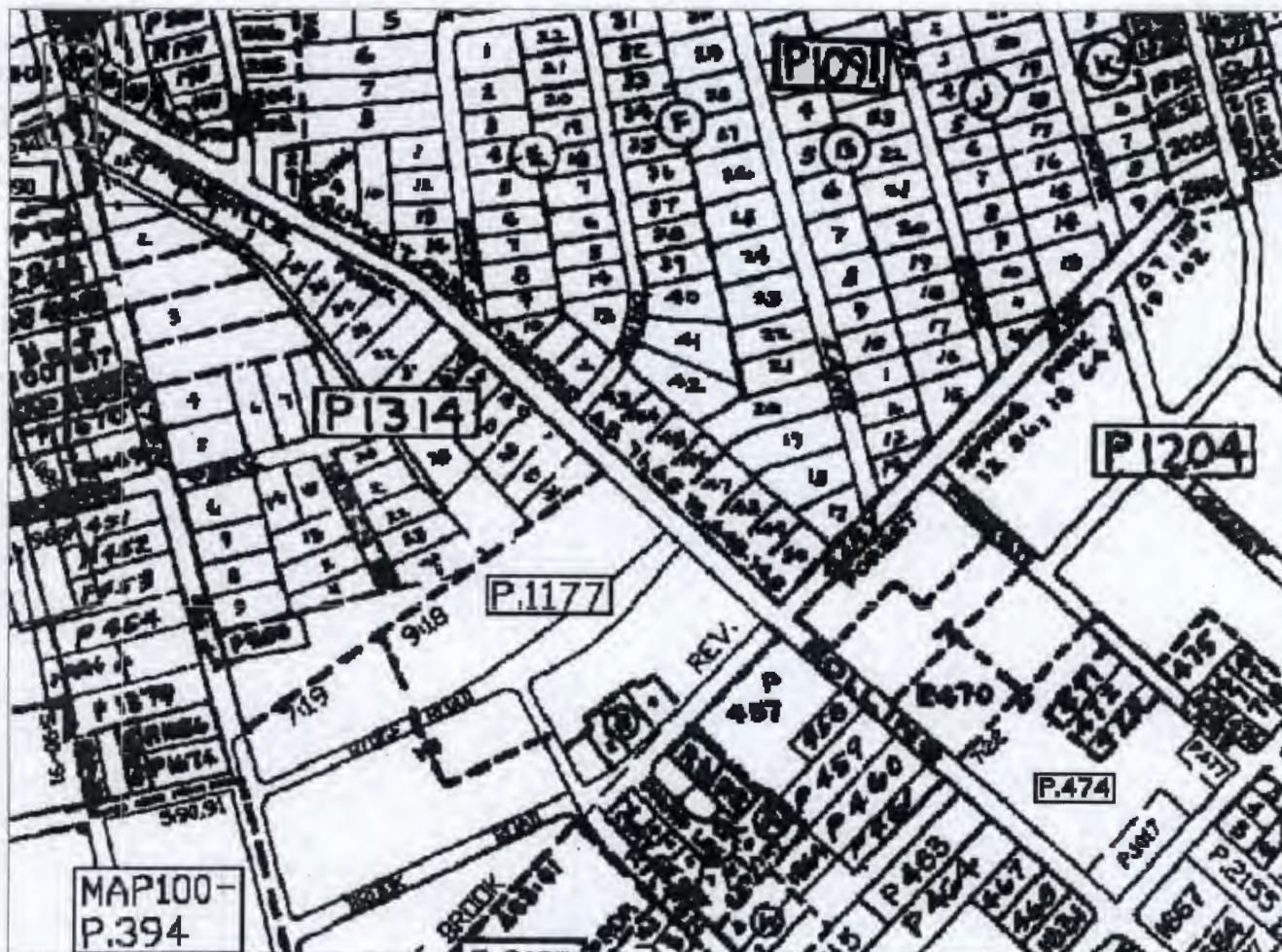
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0108300340			
Owner Information					
Owner Name:	JACOBUS MICHAEL A BARBIN CARY G		Use:	RESIDENTIAL	
Mailing Address:	303 S ROLLING RD BALTIMORE MD 21228-5718		Principal Residence:	NO	
			Deed Reference:	/34265/ 00044	
Location & Structure Information					
Premises Address:		303S ROLLING RD BALTIMORE MD 21228-5718		Legal Description:	PT LT 47 303 S ROLLING RD SUMMIT PARK
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0101	0007	1091		0000	F 47
					Assessment Year: 2013
					Plat No: 0008/ Plat Ref: 0075
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
			8,500 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
	Base Value	Value	Phase-In Assessments		
		As of	As of	As of	
		01/01/2013	07/01/2013	07/01/2014	
Land:	41,100	31,300			
Improvements	0	0			
Total:	41,100	31,300	31,300	31,300	
Preferential Land:	0			0	
Transfer Information					
Seller: FRANCO-VALIENTE CARMEN		Date: 09/25/2013		Price: \$270,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /34265/ 00044		Deed2:	
Seller: FRANCO-VALIENTE CARMEN		Date: 12/14/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /21125/ 00660		Deed2:	
Seller: FRANCO-VALIENTE CARMEN		Date: 03/01/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /19675/ 00173		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2013	07/01/2014		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdats.resiusa.org/RealProperty>)

District: 01 Account Number: 0108300340



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 (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait. Loading... Please Wait.

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Case No.: 2014-0268-SPHA

Exhibit Sheet

Petitioner/Developer

DW
a-A-14

Protestants

DW
8-4-14

No. 1	Plan	
No. 2	SDAT record-2A SDAT record-2B	
No. 3	Plot-Summit Park	
No. 4	Deed (2013)	
No. 5	Portion of Deed (1949)	
No. 6	Aerial Photo	
No. 7	Plan to Accompany Photos.	
No. 8	Color photos (A-R)	
No. 9		
No. 10		
No. 11		
No. 12		

303 ROLLING ROAD

Real Property Data Search (w1)

[Search Help](#)

Search Result for BALTIMORE COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)**Account Identifier:** District - 01 Account Number - 0108300190

Owner Information

Owner Name:	JACOBUS MICHAEL A BARBIN CARY G	Use:	RESIDENTIAL
Mailing Address:	303 S ROLLING RD BALTIMORE MD 21228-5718	Principal Residence:	YES
		Deed Reference:	1) /34265/ 00044 2)

Location & Structure Information

Premises Address:	303 S ROLLING RD BALTIMORE MD 21228-5718	Legal Description:	303 S ROLLING RD NE SUMMIT PARK
--------------------------	---	---------------------------	------------------------------------

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0101	0007	1091		0000	F		48	2013	
									Plat Ref: 0008/ 0075

Town: NONE**Special Tax Areas:****Ad Valorem:****Tax Class:**

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1929	1,144 SF		13,600 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1.000000	NO	STANDARD UNIT	FRAME	1 full	1 Detached	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2013	07/01/2013	07/01/2014
Land:	159,400	120,400		
Improvements	137,400	122,300		
Total:	296,800	242,700	242,700	242,700
Preferential Land:	0			0

Transfer Information

Seller: FRANCO-VALIENTE CARMEN	Date: 09/25/2013	Price: \$270,000
Type: ARMS LENGTH MULTIPLE	Deed1: /34265/ 00044	Deed2:
Seller: FRANCO-VALIENTE CARMEN	Date: 09/29/2011	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /31233/ 00411	Deed2:
Seller: FRANCO-VALIENTE CARMEN	Date: 03/01/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /19675/ 00173	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2013	07/01/2014
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:	NONE		

Homestead Application Information

Homestead Application Status: Approved 11/12/2013

PETITIONER'S

EXHIBIT NO. 2A

#303A ROLLING ROAD

[Search Help](#)[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)**Account Identifier:** District - 01 Account Number - 0108300340**Owner Information**

Owner Name:	JACOBUS MICHAEL A BARBIN CARY G	Use:	RESIDENTIAL
	303 S ROLLING RD	Principal Residence:	NO
Mailing Address:	BALTIMORE MD 21228-5718	Deed Reference:	1) /34265/ 00044 2)

Location & Structure Information

Premises Address:	303S ROLLING RD BALTIMORE MD 21228-5718	Legal Description:	PT LT 47 303 S ROLLING RD SUMMIT PARK						
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0101	0007	1091		0000	F		47	2013	
									Plat Ref: 0008/ 0075
									Town: NONE
Special Tax Areas:									Ad Valorem:
									Tax Class:

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
			8,500 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
----------------	-----------------	-------------	-----------------	-----------------------	---------------	------------------------------

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2013	07/01/2013	07/01/2014
Land:	41,100	31,300		
Improvements	0	0		
Total:	41,100	31,300	31,300	31,300
Preferential Land:	0			0

Transfer Information

Seller: FRANCO-VALIENTE CARMEN	Date: 09/25/2013	Price: \$270,000
Type: ARMS LENGTH MULTIPLE	Deed1: /34265/ 00044	Deed2:
Seller: FRANCO-VALIENTE CARMEN	Date: 12/14/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /21125/ 00660	Deed2:
Seller: FRANCO-VALIENTE CARMEN	Date: 03/01/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /19675/ 00173	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2013	07/01/2014
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00
Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information**Homestead Application Status:** No Application

PETITIONER'S

1. This screen allows you to search the Real Property database and display property records.

EXHIBIT NO. 28

TITLE DEED FOR (2) SEPARATE PARCELS

File# 4013-03149

WHEN RECORDED RETURN TO:

Michael A. Jacobus
Cary G. Barbin
303 S. Rolling Road
Baltimore, MD 21228

Parcel # 01-0108300190
Title Insurer: Title Resources Guaranty Company

THIS DEED, Made this 9th day of September, 2013, by and between Carmen Franco-Vallente, party of the first part, Grantor, and Michael A. Jacobus and Cary G. Barbin, parties of the second part, Grantees.

WITNESSETH, that in consideration of the sum of Two Hundred Seventy Thousand and 00/100 Dollars (\$270,000.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said party of the first part does grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs, Personal Representatives and assigns of the survivor, in fee simple, all that lot or parcel of ground situate in Baltimore County, State of Maryland, and described as follows:

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

The improvements thereon are known as No. 303 S. Rolling Road.

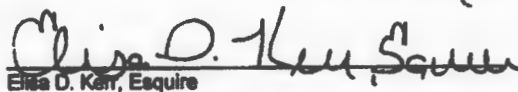
BEING the same property which by Deed dated July 28, 2011 and recorded among the Land Records of Baltimore County in Liber 31233, folio 411, was granted and conveyed by Carman Franco-Vallente unto Carmen Franco-Vallente, the Grantor herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs, Personal Representatives and assigns of the survivor, in fee simple.

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

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


Eliza D. Kerr, Esquire

PETITIONER'S

WITNESS the hand and seal of the within Grantor:

WITNESS:

Laurie Ann Nice

Carmen Franco-Vallente (SEAL)

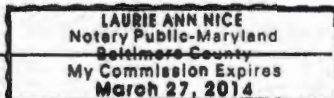
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, That on this 9 day of September, 2013, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Carmen Franco-Vallente, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, who signed the same in my presence, and acknowledged that she executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Laurie Ann Nice
Notary Public

My Commission Expires: _____



Prepared by:
 Mid-Atlantic Settlement Services
 10 North Park Drive, Suite 100
 Hunt Valley, MD 21030
 410-252-1208
 File #4013-03149

CONVEYANCE OF THE 30' STRIP

residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual rent of Seventy-eight (\$78.00) - Dollars, payable half-yearly on the first days of January and July in each and every year.

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

WITNESS the signature of John J. Cole, President of Cole Construction Company, Incorporated, and its corporate seal hereto affixed.

TEST: (Corporate Seal)

Dorothy J. Gray

Dorothy J. Gray

COLE CONSTRUCTION COMPANY, INCORPORATED, (Seal)

By John J. Cole

John J. Cole, President

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 11th day of February in the year one thousand nine hundred and forty-nine before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared John J. Cole, President of Cole Construction Company, Incorporated, the grantor named in the above Deed, and he acknowledged the foregoing Deed to be the act of said body corporate.

AS WITNESS my hand and Notarial Seal.

(Notarial Seal)

Dorothy J. Gray

Dorothy J. Gray Notary Public.

Recorded Feb 19 1949 at 11:20 A M exd per T Braden Silcott Clerk Red MAM
Exd by AJ&EH

85916 Ralph H Heidelberg et al : THIS DEED, Made this 14th day of February in the year
Deed to Edw P Coblenz : one thousand nine hundred and forty-nine, by and between
ST \$1.10 FED \$1.10 : RALPH H. HEIDELBACH and THELMA T. HEIDELBACH, his wife
of Baltimore County in the State of Maryland, of the first
part, and EDWARD P. COBLENTZ of the second part.

WITNESSETH, that in consideration of the sum of Five (5) dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey unto the said party of the second part, his heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:-

BEGINNING for the same on the Northeast side of Rolling Road at the distance of 320 feet Northwesternly from the intersection of the Northeast side of Rolling Road and the Northwest side of Gary Avenue, said place of beginning being at the point where the Northeast side of Rolling Road is intersected by the division line between Lots No. 46 and 47 in Section F, as shown on the amended Plat of Sections A, B, C, E and F of the Summit Park Company's property, which plat is recorded among the Land Records of Baltimore County in Plat Book W. P. C. No. 8, folio 75, and running thence with and binding on the aforementioned division line Northeastly 170 feet to the rear line of the lots fronting on Rolling Road and thence Southeastly binding on said rear line and on the rear line of Lot No. 47 for a distance of 30 feet, thence leaving said rear line and running for a line of division now made parallel to the first line of this description and 30 feet distant therefrom measured at right angles thereto for a distance of 170 feet to the Northeast side of Rolling Road aforesaid, and thence running with and binding thereon Northwesternly 30 feet to the place of beginning.
BEING and laid out for the Northwesternly 30 feet of Lot No. 47 in Section F, as shown

PETITIONER'S

EXHIBIT NO. 5



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is inaccurate and does not warrant the accuracy of the data. This data may be used for informational purposes only. This data may be used for informational purposes only. This data may be used for informational purposes only.

PETITIONER'S

EXHIBIT NO. 6

A



C



B



D



PETITIONER'S

EXHIBIT NO. 8



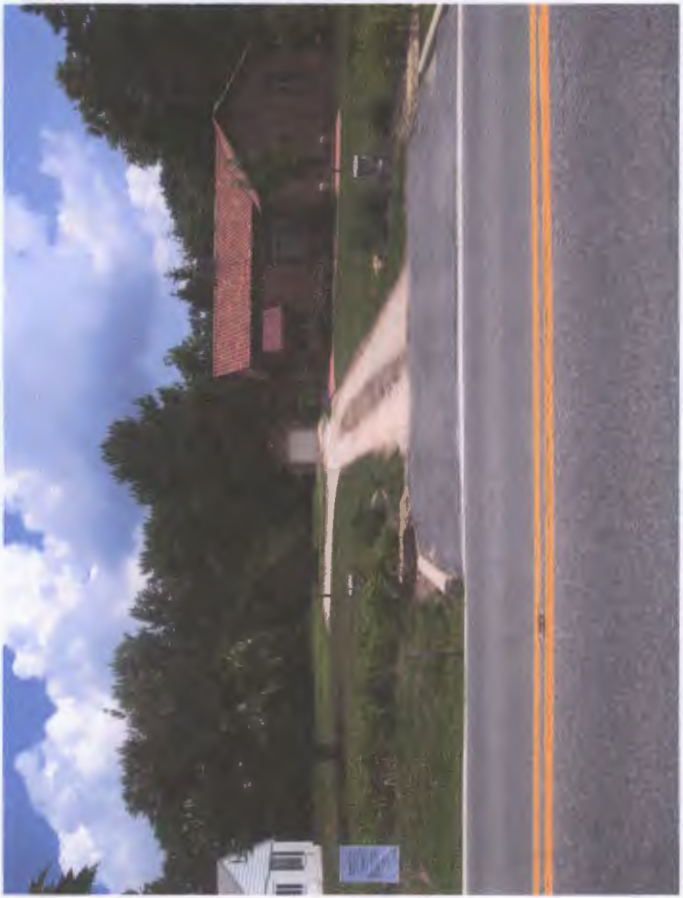
G



H



E



F



L



J



K



I



P



N



O



M



R



Q

123

0108001500

0102851771

Lot # 21

120

0116350760

FOREST DR

Lot # 43
0104750010

Lot # 42

0104200590
Pt. Bk. 0000008, Folio 0075

Lot # 20

1984-0279-SPH 0119390710
Pt. Bk. 0000005, Folio 0071

122

Lot # 44

0104000280
213

SW 3-F

Lot # 45

0123501350
215

PDM # 010189

Lot # 19

0105770100
Pt. Bk./Folio # 005071A

124

Pt. Bk./Folio # 003075C

Lot # 46

0110450662

Lot # 18

0123503250

301

Lot # 47

0108300340

DR 2

126

Lot # 17

0113550600

0119717001

Lot # 203

1300
0111890650

Lot # 203

RIDGE RD

101A2
1 CD

0108300190

Lot # 48

Lot # 49

0119271150

305

S ROLLING RD

Lot # 228

2200008775

SW 4-F

PDM # 018092

Pt. Bk./Folio # 009018

Lot # 228

0118000911
304

Lot # 230

Lot # 231

Lot # 231

0122000300

1307

Lot # 227

0119715980

Pt. Bk. 0000009, Folio 0018

BROOK RD

PDM # 010122

0107580410

GARY DR

Lot # 108

0111770220

PDM # 010063

Pt. Bk./Folio # 012086

Lot # 107

0119640850

Pt. Bk. 0000007, Folio 0115

PDM # 018060

Pt. Bk. 0000007, Folio 0221900006615

2007-0204-

Lot # 17

Lot # 226

0102200160

Lot # 225
0113551281

Pt. Bk. 0000029, Folio 0127

SITE INFORMATION

- Ownership: Michael A. Jacobus & Cary G. Barbin
- Address of owners: 303 South Rolling Road Baltimore, MD 21228
- 303A South Rolling Road Baltimore, MD 21228
Deed references / Tax acc. #s / Acreage / Tax Map / Parcel:
SM 34265 / 44 01-08-300340 8500 Sq. Ft. (SDAT) TM 101 / Parcel 1091

303 South Rolling Road Baltimore, MD 21228
Deed references / Tax acc. #s / Acreage / Tax Map / Parcel:
SM 34265 / 44 01-08-300190 13600 Sq. Ft. (SDAT) TM 101 / Parcel 1091
- Proposed use of the property: Single family residence
- Election District: 01 Councilmanic District: 1
ADC Map: 481788 GIS tile: 101A2 Position sheet: 12SW24 & 13SW24
Census tract: 400400 Census block: 240054004003013
Schools: Hillcrest ES Catonsville MS Catonsville HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 101A2 and the information provided by Baltimore County on the internet.
- Improvements: Vacant

ZONING

Zoning: DR 2 There are no previous zoning cases on the subject parcels.

ENVIRONMENTAL

Watershed: Patapsco River URDL land type: 0

- The proposed dwelling will be served by public water and sewer.
- The subject property is not in the Chesapeake Bay Critical Area.

PLANNING

Regional Planning District: Catonsville District Code: 324 Growth Tier: Public sewer & inside URDL Area

The subject property is located in the Catonsville and Summit Park National Register Historic District

PROPOSED DEVELOPMENT

To construct a two story dwelling with a garage for a family member on an adjacent vacant lot.

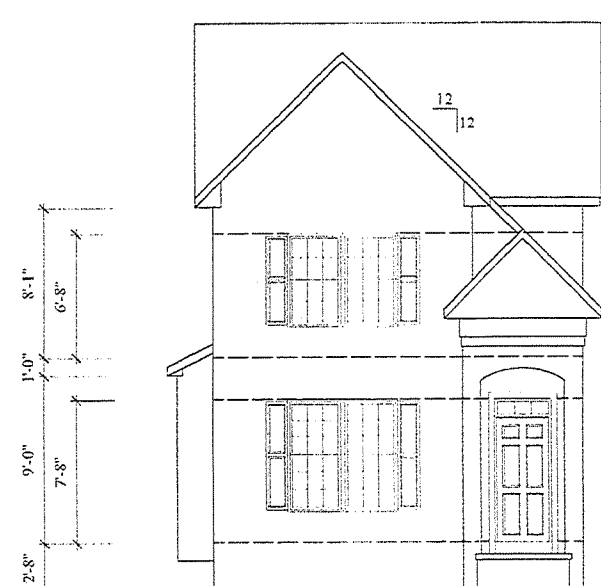
PARKING CALCULATIONS

Residential use- 2 spaces required
2 spaces provided (shown)

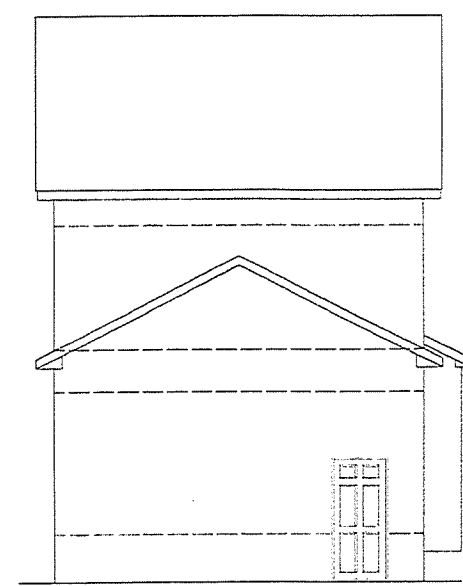
Access for the proposed dwelling will be provided by the existing driveway and shared with the residents of #303 S. Rolling Road. An access, maintenance and use agreement will be recorded.



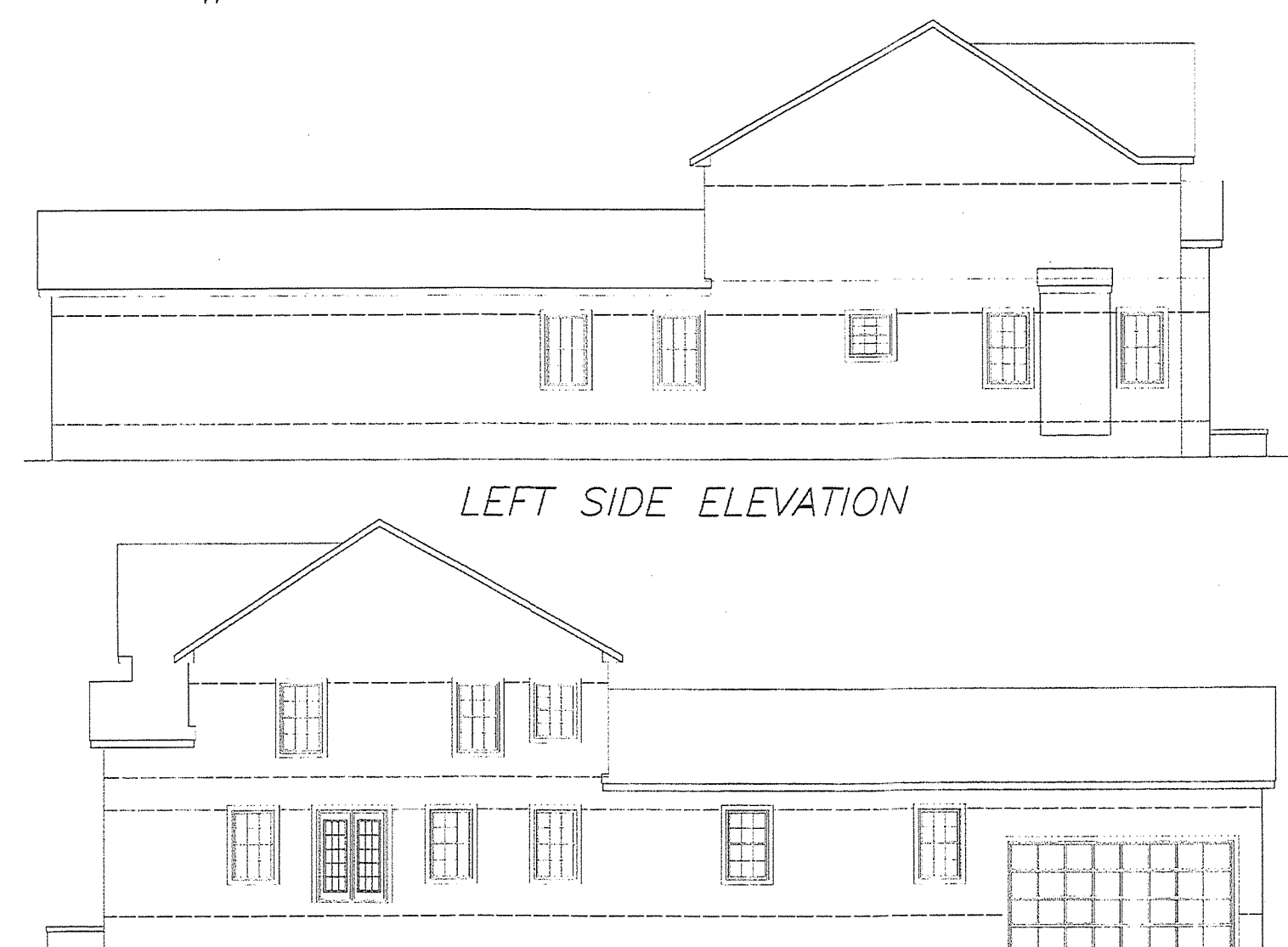
COLOR ELEVATION



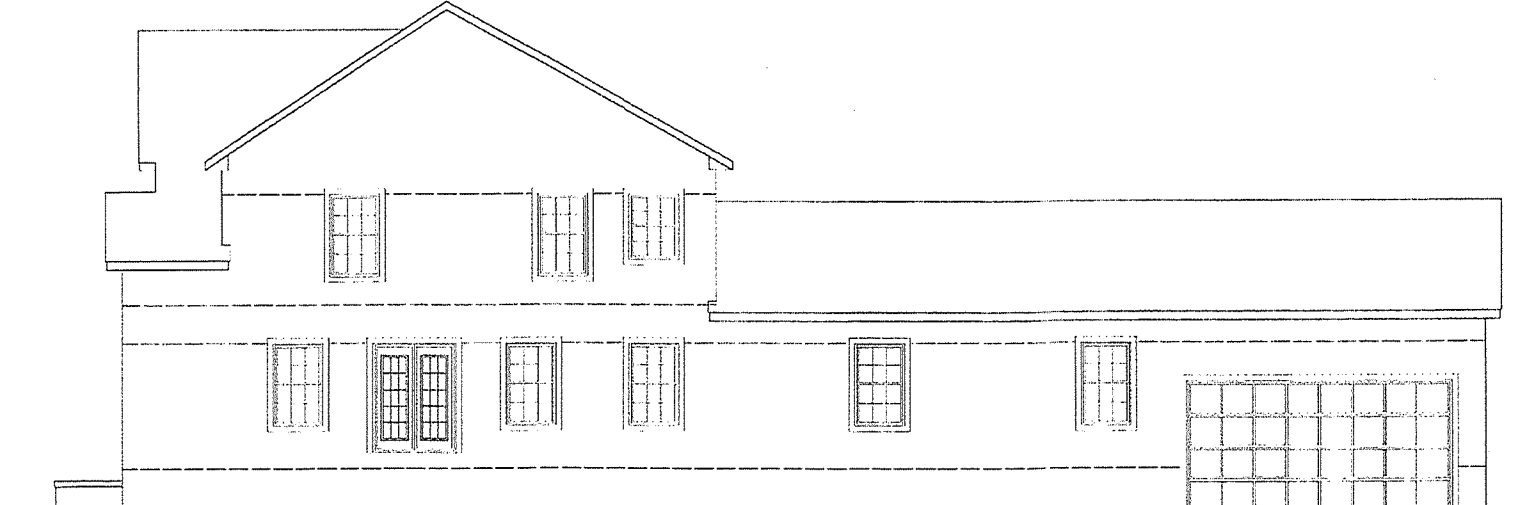
FRONT ELEVATION



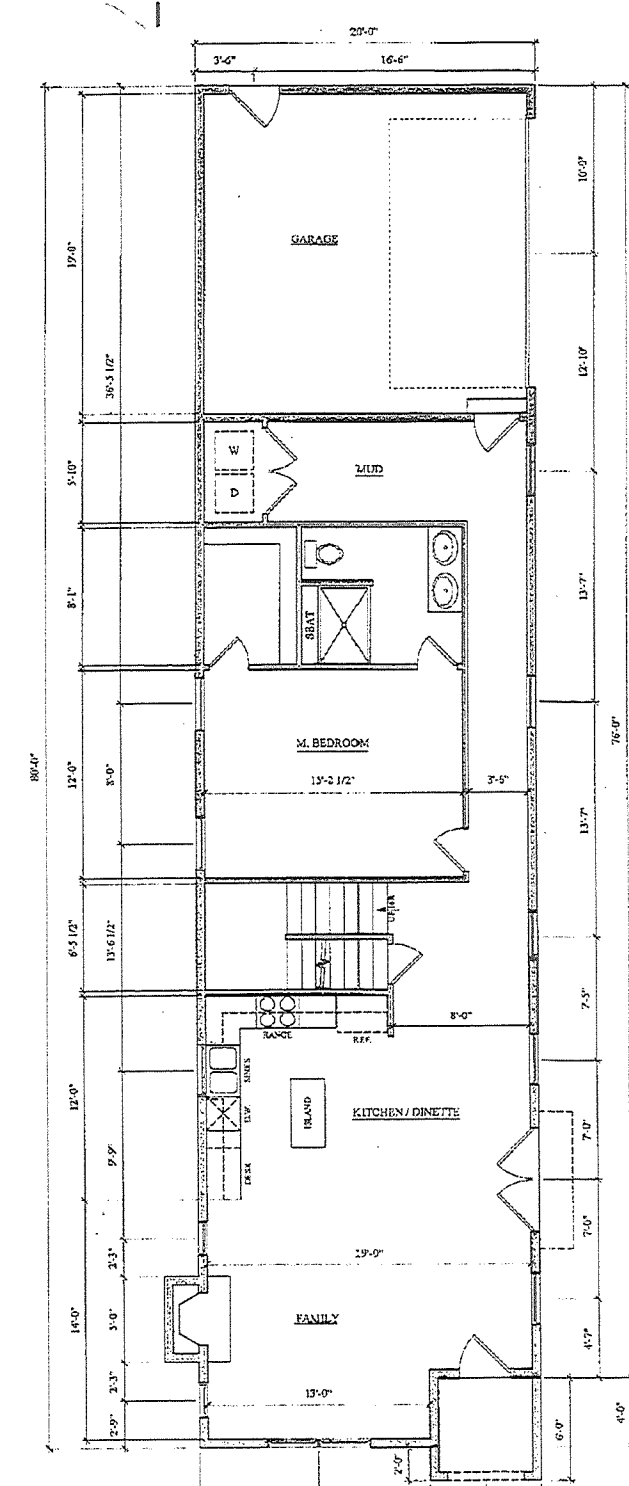
REAR ELEVATION



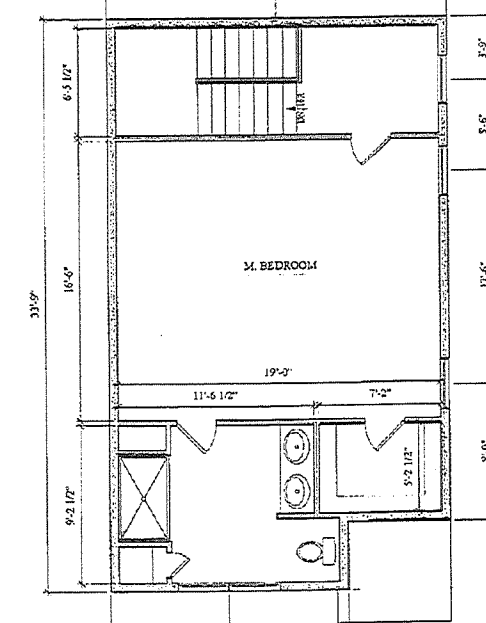
LEFT SIDE ELEVATION



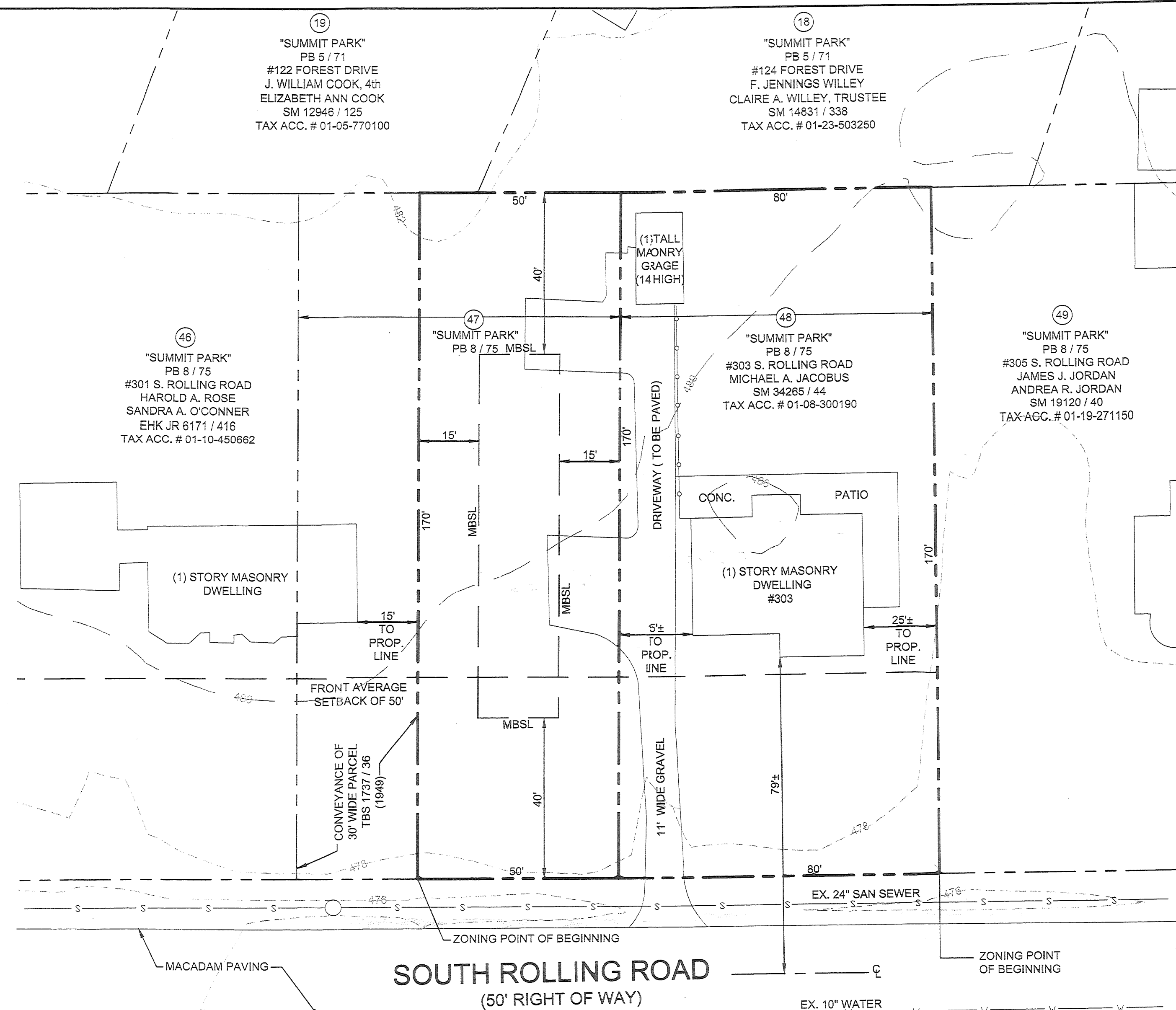
RIGHT SIDE ELEVATION



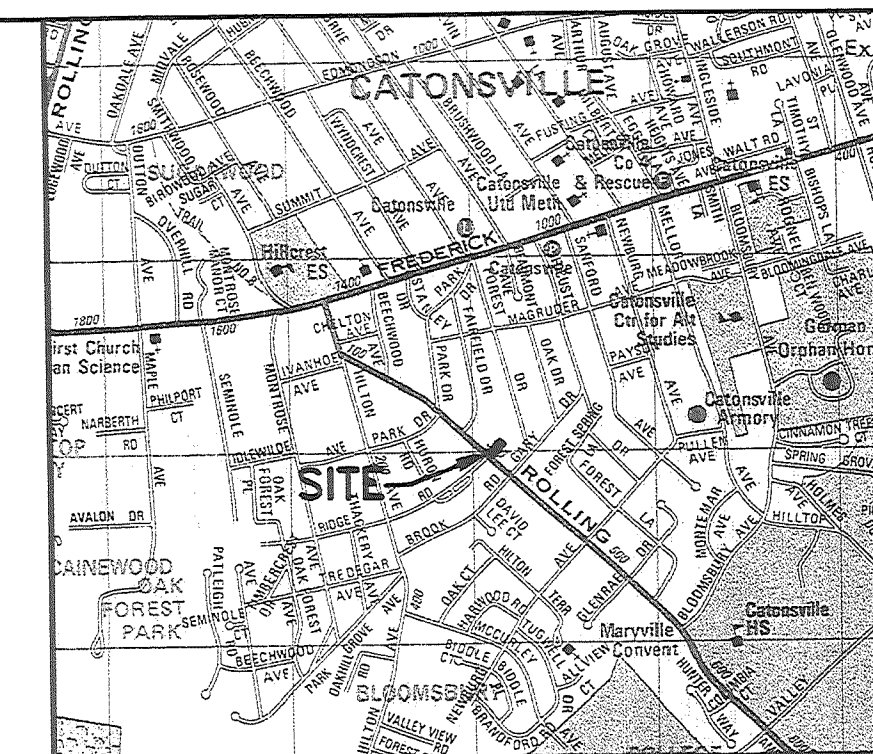
FIRST FLOOR



SECOND FLOOR



PROPOSED HOUSE TO BE BUILT ON
303 A SOUTH ROLLING ROAD



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

PETITION REQUESTS # 303 A SOUTH ROLLING ROAD

Variances

- To permit a side yard setback of 15 feet in lieu of the required 25 feet and a side yard setback sum of 30 feet in lieu of the required 40 feet per Section 1802.3C1 (BCZR)
- To permit a minimum lot width of 50 feet in lieu of the required 100 feet per Section 1802.3C1 (BCZR)

Special Hearing

- To permit a minimum net lot area of 8500 square feet in lieu of the required 20,000 square feet per Section 1802.3C1 (BCZR)

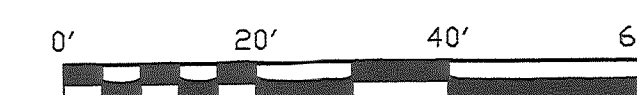
PETITION REQUESTS # 303 SOUTH ROLLING ROAD

Variances

- To permit a minimum lot width of 80 feet in lieu of the required 100 feet per Section 1802.3C1 (BCZR).

Special Hearing

- To permit a minimum net lot area of 13,600 square feet in lieu of the required 20,000 square feet per Section 1802.3C1 (BCZR).



REVISION

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

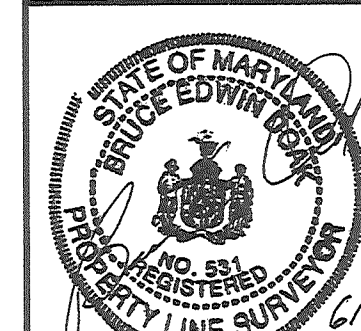
PLAN TO ACCOMPANY A PETITION
FOR BOTH

#303 A SOUTH ROLLING ROAD &
#303 SOUTH ROLLING ROAD

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 6/10/2014

Scale: 1"=20'



SITE INFORMATION

1. Ownership: Michael A. Jacobus & Cary G. Barbin
2. Address of owners: 303 South Rolling Road Baltimore, MD 21228
3. 303A South Rolling Road Baltimore, MD 21228
Deed references / Tax acc. #s / Acreage / Tax Map / Parcel:
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Deed references / Tax acc. #s / Acreage / Tax Map / Parcel:
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Watershed: Patapsco River URDL land type: 0

1. The proposed dwelling will be served by public water and sewer.
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PLANNING

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The subject property is located in the Catonsville and Summit Park National Register Historic District

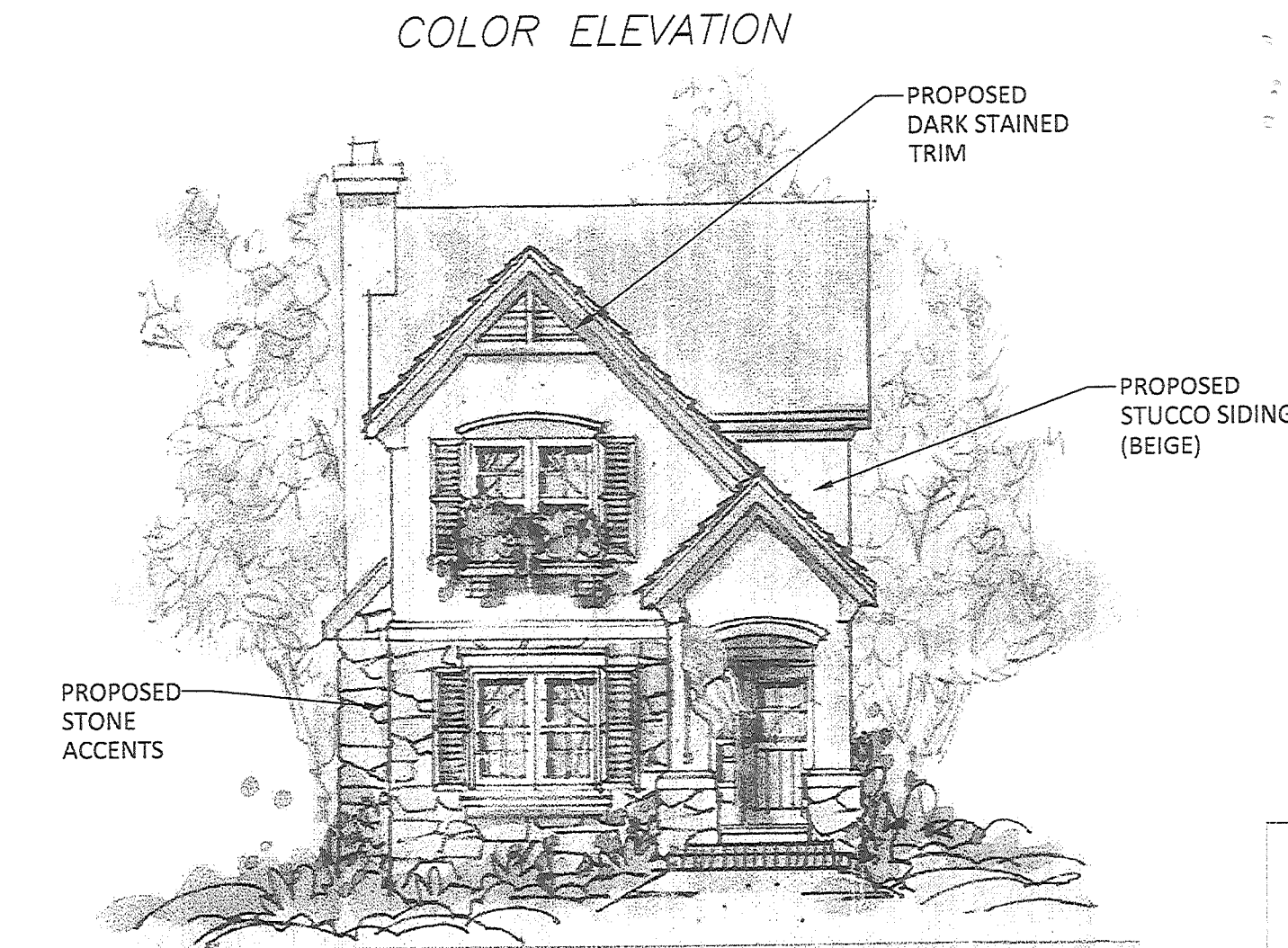
PROPOSED DEVELOPMENT

To construct a two story dwelling with a garage for a family member on an adjacent vacant lot.

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Residential use- 2 spaces required
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NOTE: ALL SIDES OF THE PROPOSED HOUSE WILL BE SIDED IN STUCCO AND HAVE STONE AND STAINED WOOD ACCENTS.



FRONT ELEVATION

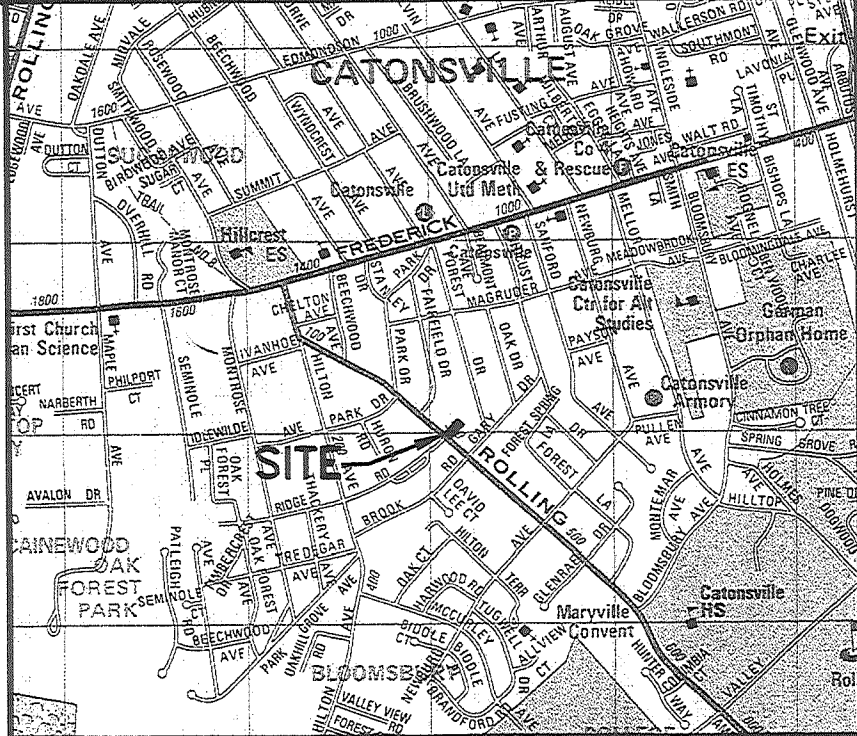
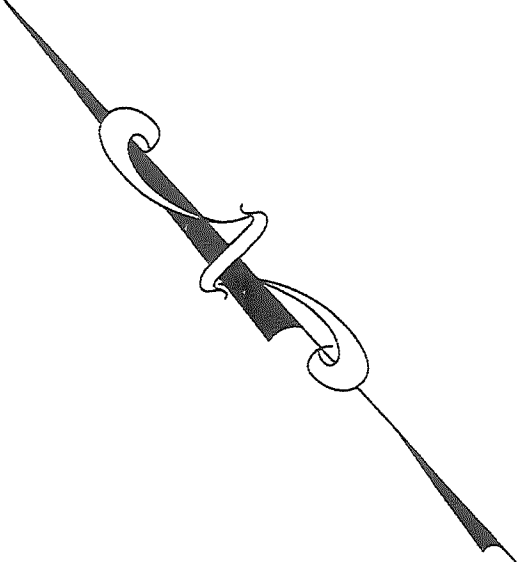
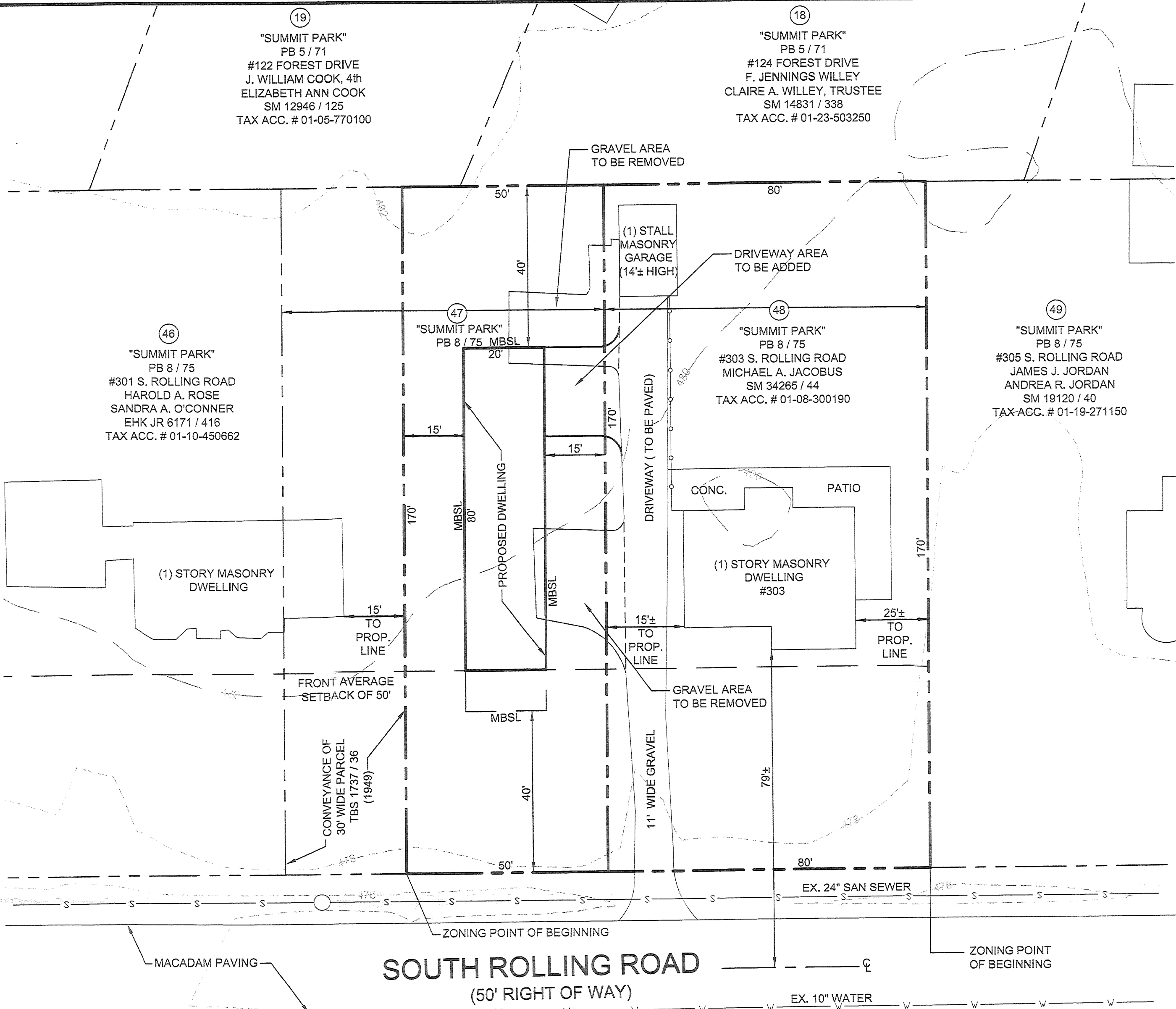
REAR ELEVATION

PROPOSED HOUSE TO BE BUILT ON
303 A SOUTH ROLLING ROAD



LEFT SIDE ELEVATION

RIGHT SIDE ELEVATION



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

PETITION REQUESTS # 303 A SOUTH ROLLING ROAD

- Variances
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2. To permit a minimum lot width of 50 feet in lieu of the required 100 feet per Section 1802.3C1 (BCZR)
- Special Hearing
1. To permit a minimum net lot area of 8500 square feet in lieu of the required 20,000 square feet per Section 1802.3C1 (BCZR)

PETITION REQUESTS # 303 SOUTH ROLLING ROAD

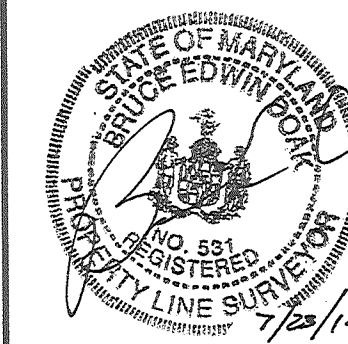
- Variances
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- Special Hearing
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REVISIONS
AMEND PER PLANNING'S
7/16/14 COMMENTS

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5335 m 410-419-4906
bdoak@brucedoakconsulting.com

PLAN TO ACCOMPANY A PETITION
FOR BOTH
#303 A SOUTH ROLLING ROAD &
#303 SOUTH ROLLING ROAD
BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT
Date: 6/10/2014
Scale: 1"=20'



PETITIONER'S

EXHIBIT NO. 1

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3. 303A South Rolling Road Baltimore, MD 21228
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PROPOSED DEVELOPMENT

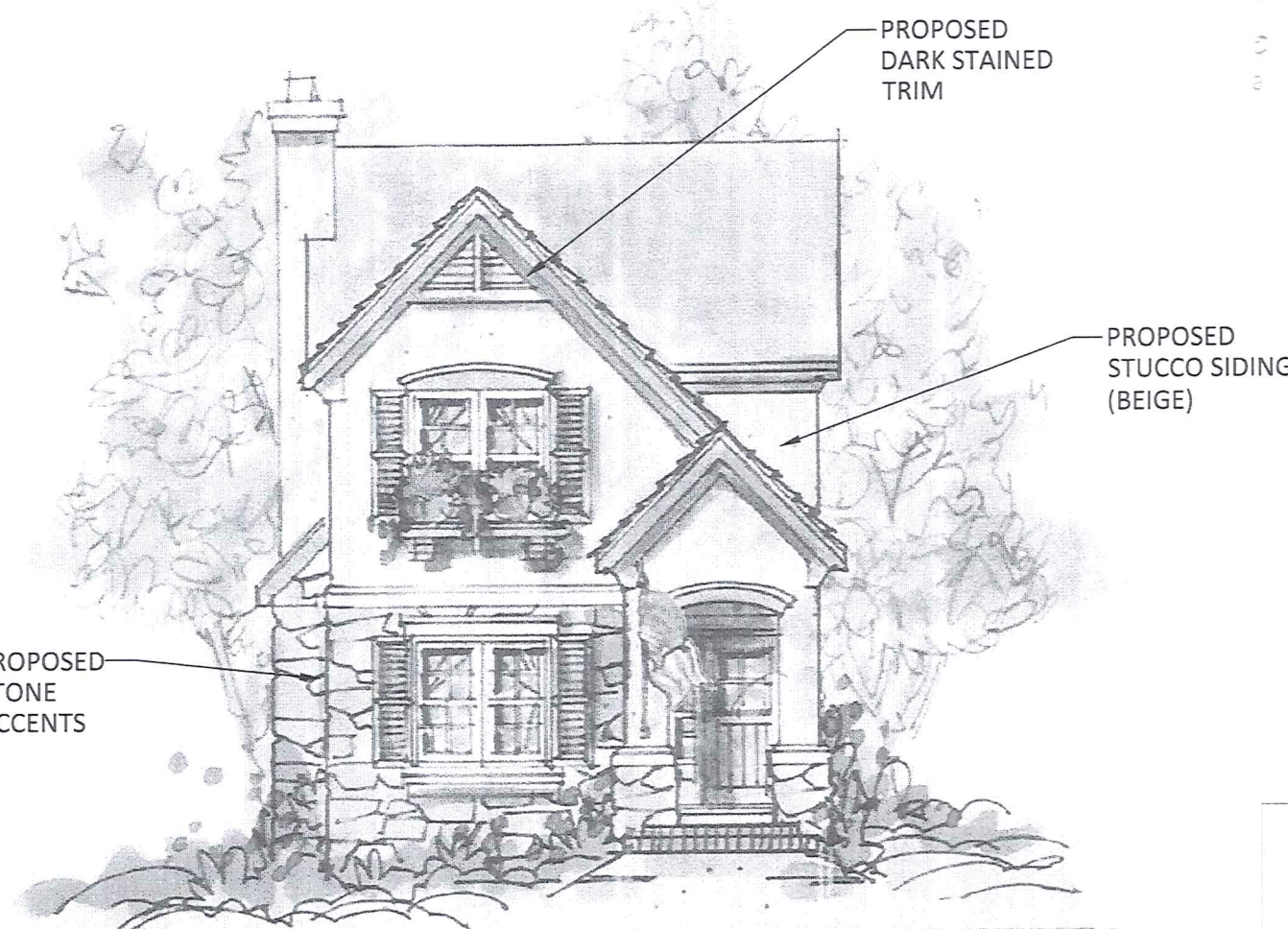
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COLOR ELEVATION



PROPOSED
STONE
ACCENTS

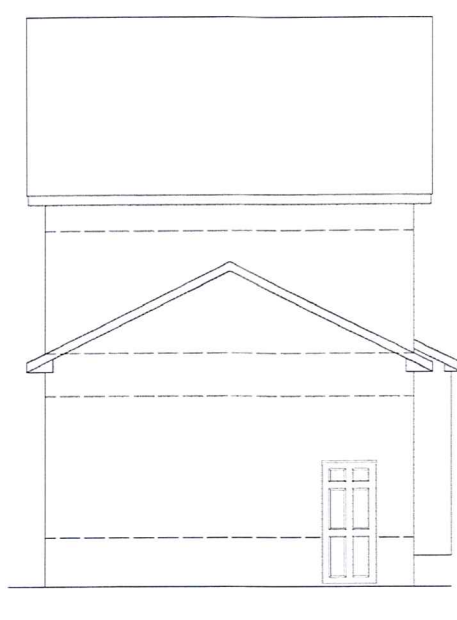
PROPOSED
DARK STAINED
TRIM

PROPOSED
STUCCO SIDING
(BEIGE)

NOTE: ALL SIDES OF THE PROPOSED HOUSE WILL BE SIDED IN STUCCO AND HAVE STONE AND STAINED WOOD ACCENTS.



FRONT ELEVATION



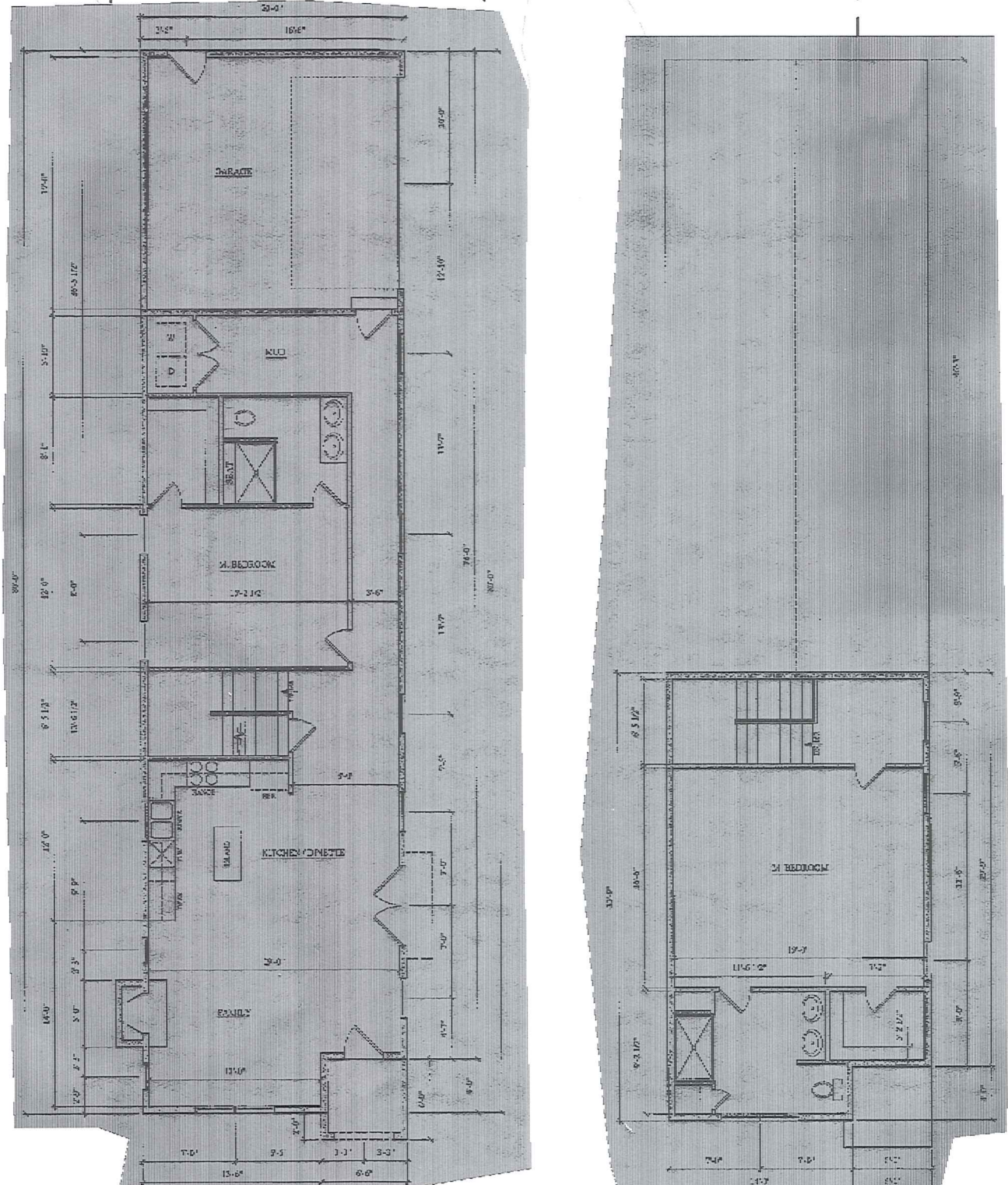
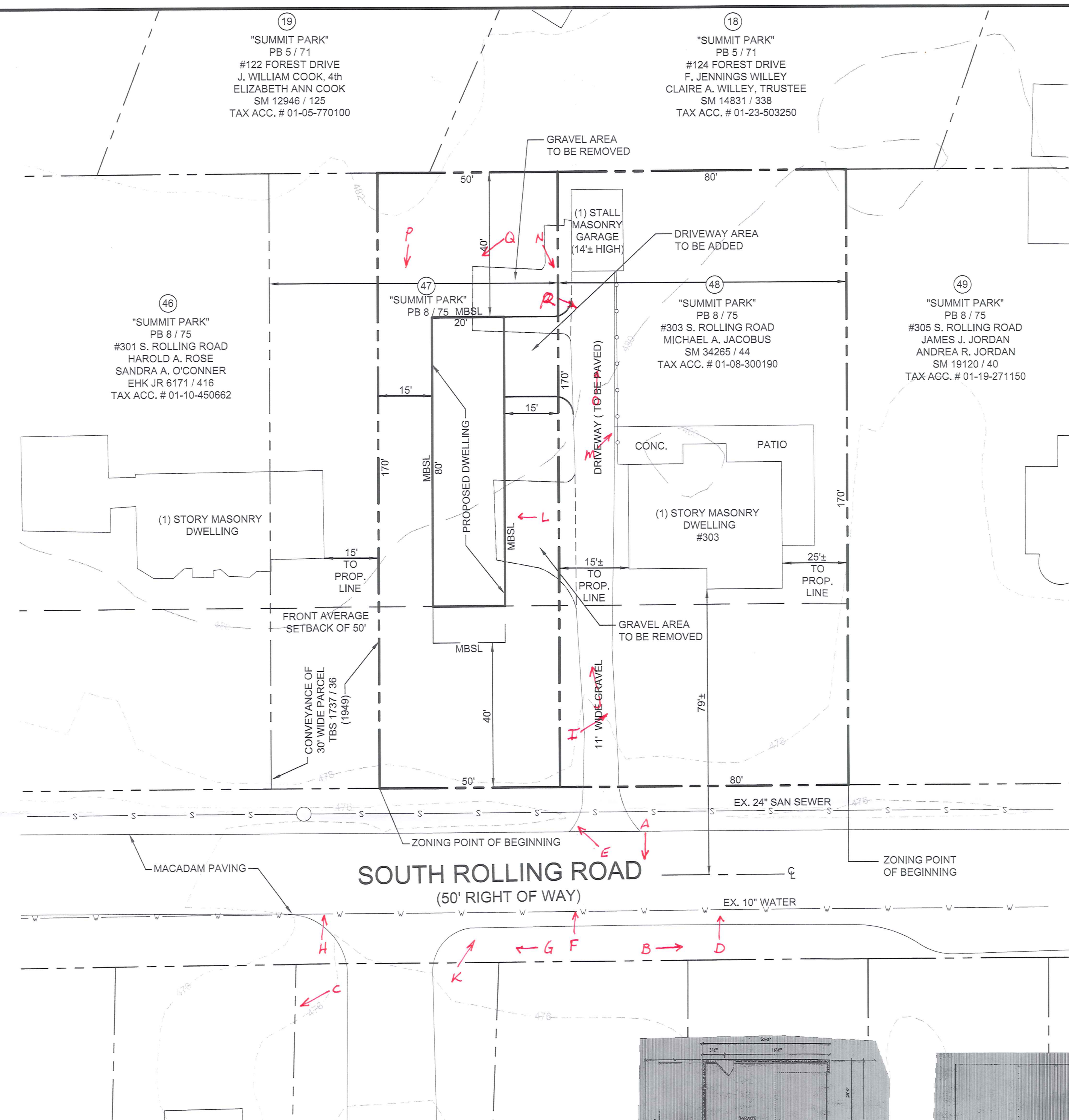
REAR ELEVATION



LEFT SIDE ELEVATION

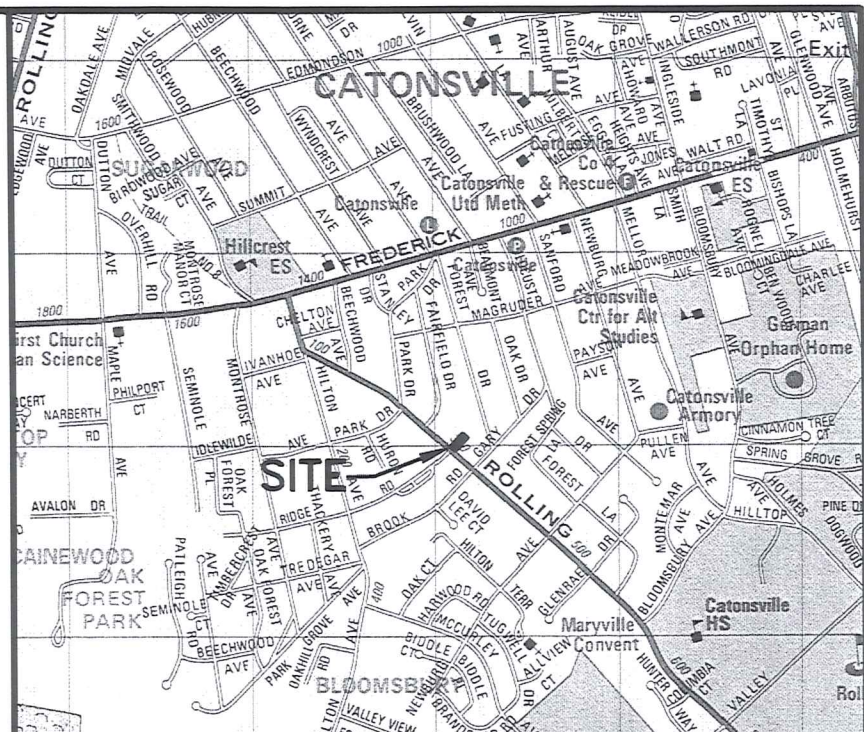
RIGHT SIDE ELEVATION

PROPOSED HOUSE TO BE BUILT ON
303 A SOUTH ROLLING ROAD



FIRST FLOOR

SECOND FLOOR



Vicinity Map -- Scale: 1" = 2000'
ADC The Map People -- Permitted Use # 20612205

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Special Hearing

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Variances

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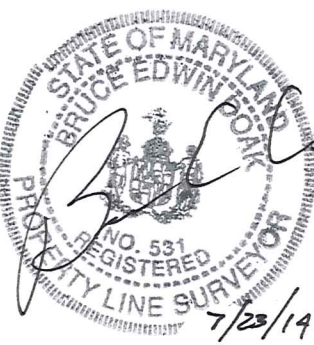
Plan to Accompany Photographs

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A PETITION
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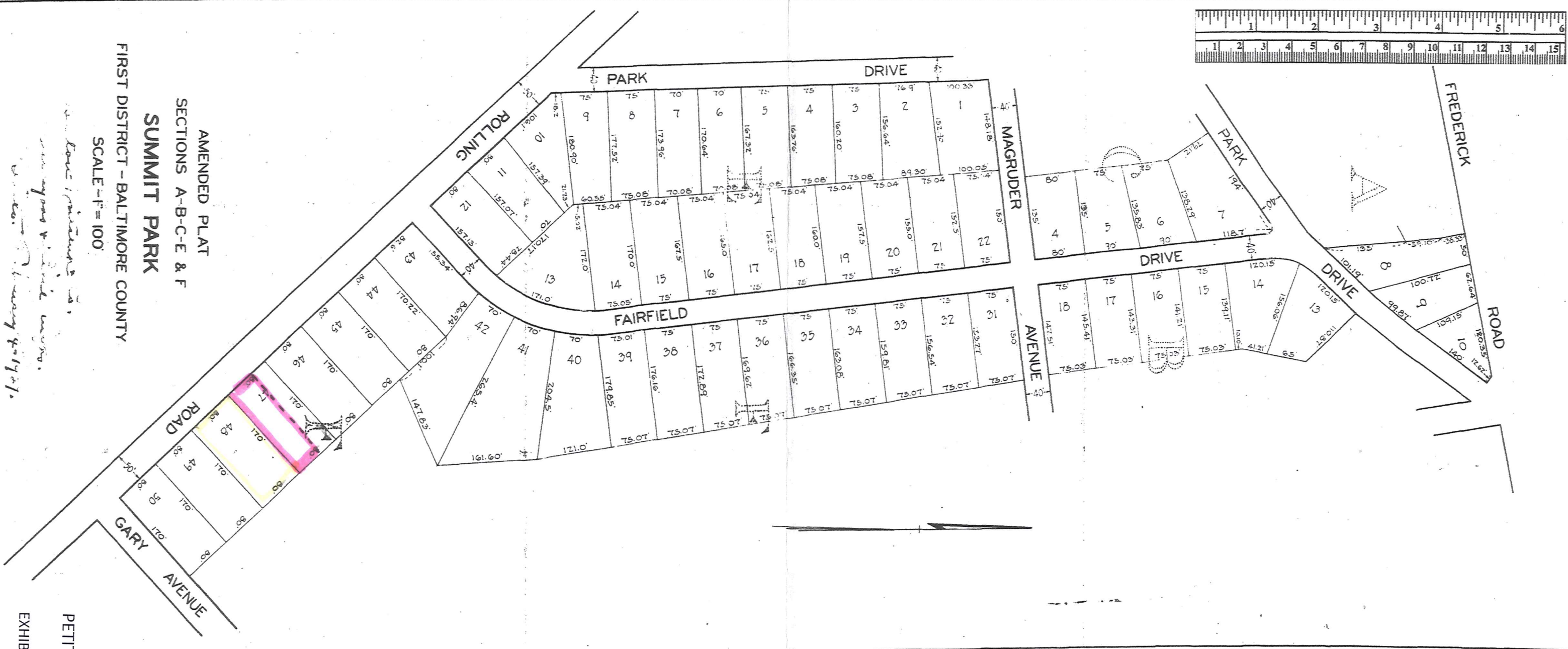
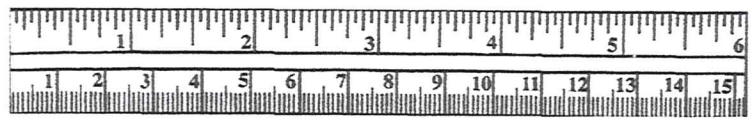
BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 6/10/2014
Scale: 1"=20'



PETITIONER'S

EXHIBIT NO. 7



AMENDED PLAT
SECTIONS A-B-C-E & F

SUMMIT PARK

FIRST DISTRICT - BALTIMORE COUNTY
SCALE - 1" = 100'

*Done: [illegible]
[illegible]
[illegible]*