

IN THE MATTER OF
FLOYD AND RENAY ROTHSTEIN - LEGAL
OWNERS/PETITIONERS
PETITION FOR VARIANCE
FOR THE PROPERTY LOCATED AT
7209 VERBENA ROAD

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 16-076-A

* * * * *

ORDER OF DISMISSAL

This case comes to the Board of Appeals on appeal from the December 3, 2015 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance from Sections 205.2 and 205.3 of the 1969 Edition of the Baltimore County Zoning Regulations to 1) permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; and 2) permit a side yard setback of 3 feet in lieu of the required 15 feet was denied.

On December 30, 2015, Petitioners Floyd and Renay Rothstein filed a Notice of Appeal. A hearing was scheduled to be held before this Board on Thursday, March 3, 2016 at 10:00 a.m., for which proper notice was given.

The Board convened at 10:15 a.m., J. Carroll Holzer, Esquire appeared on behalf of Protestants, Michael and Yelena Shirkin, at the scheduled time of hearing; Floyd and Renay Rothstein, Petitioners/Appellants, did not appear, nor did anyone on their behalf.

On the record and in open hearing, J. Carroll Holzer, Esquire moved for dismissal for failure to appear. Upon consideration of the fact that the Notice had the correct address and was not returned, the Board granted said Motion for Dismissal and will so order.

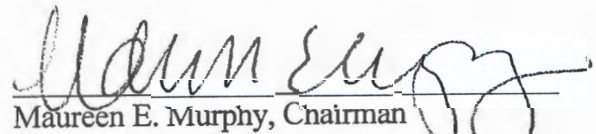
IT IS THEREFORE ORDERED this 31st day of March, 2016 by

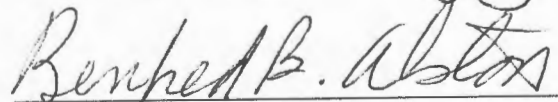
In the matter of Floyd and Renay Rothstein / Case no 16-076-A / Dismissal

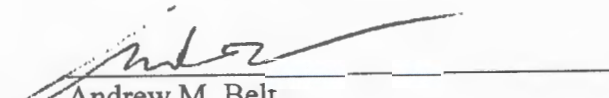
the Board of Appeals of Baltimore County that the appeal filed in Case No. 16-076-A be and the same is hereby **DISMISSED WITH PREJUDICE** for Failure to Appear. The Opinion and Order of the Administrative Law Judge dated December 3, 2015, in which the Petition for Variance was denied remains the Final Order in this matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*. If no such petition is filed within 30 days from the date of this Order, the subject file will be closed.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman


Benfred B. Alston


Andrew M. Belt



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 31, 2016

Floyd and Renay Rothstein
7209 Verbena Road
Baltimore, Maryland 21209

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286

RE: In the Matter of: Floyd and Renay Rothstein – Legal Owners
Case No.: 16-076-A

Dear Messrs. Rothstein and Holzer:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review** filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script, reading "Sunny Cannington", is written over the typed name.

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: Adam Rosenblatt, Esquire
Michael and Yelena Shirkin
Mervyn Pinerman
Allan Sherr
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

IN THE MATTER OF
FLOYD AND RENAY ROTHSTEIN - LEGAL
OWNERS/PETITIONERS
PETITION FOR VARIANCE
FOR THE PROPERTY LOCATED AT
7209 VERBENA ROAD

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 16-076-A

* * * * *

ORDER OF DISMISSAL

This case comes to the Board of Appeals on appeal from the December 3, 2015 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance from Sections 205.2 and 205.3 of the 1969 Edition of the Baltimore County Zoning Regulations to 1) permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; and 2) permit a side yard setback of 3 feet in lieu of the required 15 feet was denied.

On December 30, 2015, Petitioners Floyd and Renay Rothstein filed a Notice of Appeal. A hearing was scheduled to be held before this Board on Thursday, March 3, 2016 at 10:00 a.m., for which proper notice was given.

The Board convened at 10:15 a.m., J. Carroll Holzer, Esquire appeared on behalf of Protestants, Michael and Yelena Shirkin, at the scheduled time of hearing; Floyd and Renay Rothstein, Petitioners/Appellants, did not appear, nor did anyone on their behalf.

On the record and in open hearing, J. Carroll Holzer, Esquire moved for dismissal for failure to appear. Upon consideration of the fact that the Notice had the correct address and was not returned, the Board granted said Motion for Dismissal and will so order.

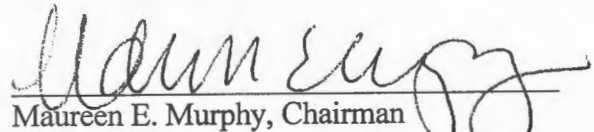
IT IS THEREFORE ORDERED this 31st day of March, 2016 by

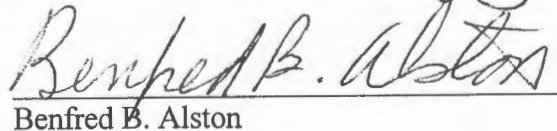
In the matter of Floyd and Renay Rothstein/Case no 16-076-A/Dismissal

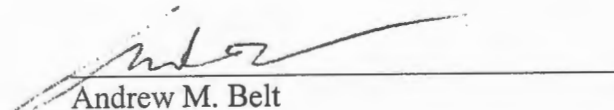
the Board of Appeals of Baltimore County that the appeal filed in Case No. 16-076-A be and the same is hereby **DISMISSED WITH PREJUDICE** for Failure to Appear. The Opinion and Order of the Administrative Law Judge dated December 3, 2015, in which the Petition for Variance was denied remains the Final Order in this matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*. If no such petition is filed within 30 days from the date of this Order, the subject file will be closed.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman

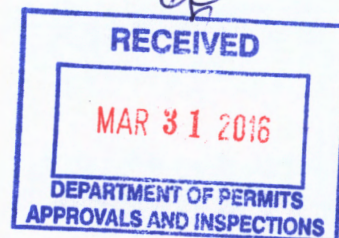

Benfred B. Alston


Andrew M. Belt



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182



March 31, 2016

Floyd and Renay Rothstein
7209 Verbena Road
Baltimore, Maryland 21209

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286

RE: In the Matter of: ~~Floyd and Renay Rothstein~~ -- Legal Owners
Case No.: 16-076-A

Dear Messrs. Rothstein and Holzer:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: Adam Rosenblatt, Esquire
Michael and Yelena Shirkin
Mervyn Pinerman
Allan Sherr
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

February 23, 2016

RECEIVED
FEB 23 2016

BALTIMORE COUNTY
BOARD OF APPEALS

Hand-Delivered
Krysundra "Sunny" Cannington
County Board of Appeals of Baltimore County
The Jefferson Building
105 West Chesapeake Avenue, Suite 203
Towson, MD 21204

Re: Floyd & Renay Rothstein
7209 Verbana Road
Hearing Date: March 3, 2016
Case No.: 2016-076-A

Dear Ms. Cannington:

This case comes to the Board of Appeals upon appeal by Petitioners from the December 3, 2015 decision of Administrative Law Judge John Beverungen to deny front yard and side yard setback variances, as revised, for a garage addition at their residence, a single-family detached dwelling in an area zoned D.R. 2. As shown in the attached photos, the dwelling is substantial and attractive, with a very nice off-street parking pad.

Upon review of the record and BCZR Sec. 307.1, there does not appear any unique characteristic of this property which results in practical difficulty. Indeed, the attached SDAT data indicates the dwelling was built in 1975, and there has been a longstanding residential use.

Our office recently participated in another case involving a request for front yard setback variance for a garage/pool house at 6200 Glen Falls Road on property zoned R.C. 6. The Board of Appeals denied the variance in its February 22, 2016 majority opinion, panel member Andrew Belt concurring in the result. Petition of Richard Folio, Case No. 2015-185-A. In view of similar issues here, it appears incumbent on us to bring this case to the Board's attention.

In Folio, we filed a detailed post-hearing memorandum. We found a predominance of case law denying area variances for additions and/or accessory buildings: Easter v. Mayor & City Council 195 Md. 395 (1950); Carney v. City of Baltimore 201 Md. 130 (1952); Burns v.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 11, 2016

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Floyd and Renay Rothstein
7209 Verbena Road
16-076-A 3rd Election District; 2nd Councilmanic District

Re: Petition for Variance to:
1. permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet
and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; and
2. permit a side set back of 3 feet in lieu of the required 15 feet.

12/3/15 Opinion and Order of the Administrative Law Judge wherein the requested relief was DENIED.

ASSIGNED FOR: **THURSDAY, MARCH 3, 2016, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioner/Legal Owners
Petitioner/Legal Owners

: Adam Rosenblatt, Esquire
: Floyd and Renay Rothstein

Counsel for Protestants
Protestants

: J. Carroll Holzer, Esquire
: Michael and Yelena Shirkin

Mervyn Pinerman

Allan Sherr

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

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

January 4, 2016

Adam Rosenblatt, Esq.
Venable, LLC
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

J. Carroll Holzer, Esq.
508 Fairmount Avenue
Towson, Maryland 21286

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2016-0076-SPHA
Location: 7209 Verbena Road



Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on December 30, 2015. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

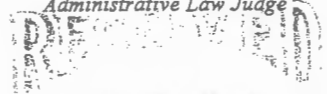
LMS/dlw

c: ✓ Baltimore County Board of Appeals
People's Counsel for Baltimore County
Floyd and Renay Rothstein, 7209 Verbena Road, Baltimore, MD 21209
Mervyn Pinerman, 2101 Burdock Road, Baltimore, MD 21209
Allan Sherr, 7210 Verbena Road, Baltimore, MD 21209



KEVIN KAMENETZ
County Executive

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



January 4, 2016

JAN 04 2016

BALTIMORE COUNTY
BOARD OF APPEALS

Adam Rosenblatt, Esq.
Venable, LLC
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

J. Carroll Holzer, Esq.
508 Fairmount Avenue
Towson, Maryland 21286

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2016-0076-SPHA
Location: 7209 Verbena Road

Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on December 30, 2015. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Floyd and Renay Rothstein, 7209 Verbena Road, Baltimore, MD 21209
Mervyn Pinerman, 2101 Burdock Road, Baltimore, MD 21209
Allan Sherr, 7210 Verbena Road, Baltimore, MD 21209

APPEAL

**Petition for Variance
(7209 Verbena Road)
3rd Election District – 2nd Councilmanic District
Legal Owners: Floyd and Renay Rothstein
Case No. 2016-0076-A**

Petition for Variance (October 4, 2015)

Zoning Description of Property

Notice of Zoning Hearing (October 22, 2015 for November 30, 2015 hearing)

Certificate of Publication (November 10, 2015)

Certificate of Posting (October 4, 2015) – Richard E. Hoffman

Petitioner(s) Sign-in Sheet – One

Citizen(s) Sign-in Sheet – One

Zoning Advisory Committee (ZAC) Comments

Petitioner(s) Exhibits:

1. Site Plan
2. Elevations
3. Garage examples
4. 11-30-2015 DOP ZAC comment (in file)
5. Kellman CV
6. Land Dev. Map
7. GreenGate variances

Protestants' Exhibits:

1. DOP ZAC comments
2. 2A-2H – photos

Miscellaneous (Not Marked as Exhibits)

Administrative Law Judge Order and Letter (DENIED – December 3, 2015)

Notice of Appeal – Floyd Rothstein on December 30, 2015

IN RE: PETITION FOR VARIANCE

(7209 Verbena Road)

3rd Election District

2nd Council District

Floyd and Renay Rothstein

Owners and Petitioners

RECEIVED

DEC 30 2015

* BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR BALTIMORE COUNTY

*

Case No. 2016-0076-A

*

OFFICE OF ADMINISTRATIVE HEARINGS

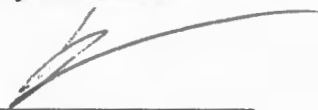
* * * * *

NOTICE OF APPEAL

Petitioners Floyd and Renay Rothstein, feeling aggrieved by the December 3, 2015 Opinion and Order in the above-captioned matter, which is attached hereto and incorporated herein as Exhibit A, hereby note an appeal to the Baltimore County Board of Appeals. Appellants submit that the review by the County Board of Appeals from the final decision of the Office of Administrative Hearings shall be a de novo hearing pursuant to the Baltimore County Zoning Regulations and Charter.

Filed concurrently with this Notice of Appeal is a check made payable to Baltimore County to cover the costs of the appeal.

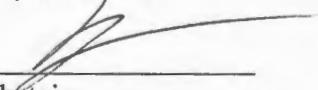
Respectfully submitted



Floyd Rothstein
7209 Verbena Road

CERTIFICATE OF SERVICE

I hereby certify on this 3rd day of December, 2015, that a copy of the foregoing pleading was mailed to J. Carroll Holzer, 508 Fairmont Avenue, Towson, MD 21286.



Floyd Rothstein

IN RE: PETITION FOR VARIANCE

(7209 Verbena Road)

3rd Election District

2nd Council District

Floyd and Renay Rothstein

Legal Owners

Petitioners

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2016-0076-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed for property located at 7209 Verbena Road. Petitioners are requesting variance relief from Sections 205.2 and 205.3 of the 1969 Edition of the Baltimore County Zoning Regulations (B.C.Z.R.): (1) to permit a front yard setback of 24 ft. from the front lot line in lieu of the required 40 ft. and a front yard setback of 50 ft. from the centerline of Verbena Road in lieu of the required 65 ft.; and (2) to permit a side setback of 3 ft. in lieu of the required 15 ft.

This matter was originally filed as an Administrative Variance, with a closing date of October 19, 2015. On October 14, 2015, neighbors Michael and Yelena Shirkin requested a hearing, which was held on Monday, November 30, 2015 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. Adam Rosenblatt, Esq. represented the Petitioners and J. Carroll Holzer, Esq., represented the neighbors. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

The subject property is approximately 18,200 square feet and is zoned DR 2. The property is improved with a single family dwelling constructed in 1975. Petitioners purchased the property in July, 2015, and would like to construct a garage addition, as shown on the elevation drawings marked as Petitioners' Exhibit 2. To do so, variance relief is required.

As discussed at the hearing, the Petitioners modified somewhat their original variance request (which was opposed by the Department of Planning (DOP)) to increase the front and side setbacks proposed. The DOP submitted a revised comment wherein that agency opined that the "site plan represents a good faith response on the part of the petitioner to recommendations made by the Sector Planner." I concur, but that is insufficient to justify a variance.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity necessitates variance relief; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have not satisfied these requirements. Mitchell Kellman, who was accepted as an expert in land use and the zoning regulations, testified the property is trapezoidal in shape, but many of the lots in the vicinity are similarly shaped. While there is a slight grade change across the site, as noted by Mr. Kellman, that condition exists on other properties in the area as well. Finally, to the extent there is any hardship, I believe it is self-imposed. Petitioners purchased the house recently and could have investigated beforehand whether a variance would be required to construct an attached garage. Had they done so, they would have learned that a variance would be required, and they could have (as many purchasers do) made the contract contingent upon the grant of the variance.

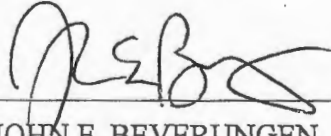
I am sympathetic to the Petitioners' plight, and recognize that there are inconsistencies in the County's variance procedure and process. On the one hand, owners of dwellings (in which they reside) are permitted to obtain an "administrative variance" permitting a relaxation of the height, setback or area zoning regulations. B.C.C. § 32-3-303. While the law purports to require

that a petitioner establish (by way of an affidavit) that the property is unique and that she will experience a practical difficulty if the regulations were strictly construed, the reality is that 95% or greater of these requests are granted without much scrutiny. And that is often the case as well for "unopposed" variance requests for which public hearings are held.

But the reality is the procedure is quite different when, as here, neighbors or the community oppose the request and through counsel or otherwise insist upon a rigorous application of the variance standard. In those circumstances, the petitioner faces an uphill battle. In fact, I was unable to locate a Maryland appellate court opinion from the last twenty years which upheld the grant of a variance. Under Maryland law, variances should be granted "sparingly" since it is "an authorization for [that] ... which is prohibited by a zoning ordinance." Cromwell v. Ward, 102 Md. App. 691, 699 (1995).

THEREFORE, IT IS ORDERED, this 3rd day of December, 2015 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from B.C.Z.R. (1969 Ed.) Sections 205.2 and 205.3: (1) to permit a front yard setback of 24 ft. from the front lot line in lieu of the required 40 ft. and a front yard setback of 50 ft. from the centerline of Verbena Road in lieu of the required 65 ft.; and (2) to permit a side setback of 3 ft. in lieu of the required 15 ft., be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

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

No. 133643

Date: 12/30/15

PAID RECEIPT

BUSINESS ACTUAL TIME DFW
12/30/2015 12/30/2015 10:20:28 5
REG MSOS WALKIN RDOS LRB
RECEIPT # 834541 12/30/2015 OFLH
Dept: 5 528 ZONING VERIFICATION
CR NO. 133643
Recpt Tot \$265.00
\$265.00 CK \$0.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6130				265.00

Total: 265.00

Rec From: Floyd Rothstein CK# 004487

For: 2016-0076-A
1207 Verbera Rd

DISTRIBUTION

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

CASHIER'S
VALIDATION

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10/2</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>10/7</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
<u>11/30</u>	PLANNING (if not received, date e-mail sent _____)	<u>no Obj</u>
<u>9/30</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>11/10/15</u>	
SIGN POSTING	Date: <u>10/4/15</u> by <u>Hoffman</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☒	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2016-0076-A

Petitioner: ROTHSTEIN

Address or Location: 7709 VERBENA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adam ROSENBLAT

Address: VENABLE LLP

210 W. Penn Ave, Ste. 500

Towson, MD 21204

Telephone Number: (410) 494-6271

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 10, 2015 Issue - Jeffersonian

Please forward billing to:
Floyd & Renay Rothstein
7209 Verbena Road
Baltimore, MD 21209

410-484-8000

NOTICE OF ZONING HEARING

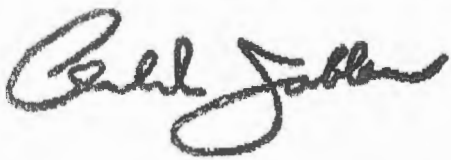
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0076-A

7209 Verbena Road
SE/s Verbena Road, SW of Pleasant Cross Drive
3rd Election District – 2nd Councilmanic District
Legal Owners: Floyd & Renay Rothstein

Variance to permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; to permit a side setback of 3 feet in lieu of the required 15 feet.

Hearing: Monday, November 30, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

October 22, 2015

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: 2016-0076-A

7209 Verbena Road
SE/s Verbena Road, SW of Pleasant Cross Drive
3rd Election District – 2nd Councilmanic District
Legal Owners: Floyd & Renay Rothstein

Variance to permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; to permit a side setback of 3 feet in lieu of the required 15 feet.

Hearing: Monday, November 30, 2015 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: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Mr. & Mrs. Rothstein, 7209 Verbena Road, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 10, 2015**
- (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.



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 Hearings for Baltimore County for the property located at:

Address 7209 Verbena Road, Baltimore, Maryland 21209

Currently zoned DR-2

Deed Reference 22835 / 00639

10 Digit Tax Account # 1 6 0 0 0 1 2 8 6 6

Owner(s) Printed Name(s) Floyd and Renay Rothstein

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) SEE ATTACHED SHEET

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

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

ORDER RECEIVED FOR FILING
12/3/15
DEN

Owner(s)/Petitioner(s):

Floyd Rothstein / Renay Rothstein
Name #1 – Type or Print Name #2 – Type or Print
Signature #1 / Signature #2
7209 Verbena Road, Baltimore, Maryland
Mailing Address City State
21209 / 410-484-8000 / floydbiz@gmail.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Adam M. Rosenblatt, Esquire

Name – Type or Print
Signature
Venable LLC
210 W. Pennsylvania Avenue, Ste. 500, Towson, Maryland
Mailing Address City State
21204 / 410-494-6271 / amrosenblatt@venable.com
Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt, Esquire

Name – Type or Print
Signature
Venable LLC
210 W. Pennsylvania Avenue, Ste. 500, Towson, Maryland
Mailing Address City State
21204 / 410-494-6271 / amrosenblatt@venable.com
Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0076-1 Filing Date 9/23/15 Estimated Posting Date 10/4/16 Reviewer JS

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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 7209 Verbena Road, Baltimore, Maryland 21209
Print or Type Address of property City State Zip Code

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

1. The property is uniquely pie-shaped and constrained by extremely narrow setbacks established in the late 1960's that do not account for current development principles.
2. Without a variance, we will not be able to have a garage, which many people in the community have and which is critical to our use and enjoyment of the property.
3. Numerous variances have been granted in this community for side and front setbacks. This variance will not have any adverse impact on the surrounding neighborhood.
4. This variance can be granted within the spirit and intent of the zoning regulations as it provides for proper design of a garage that will increase the value and usability of an existing residential structure.

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

Signature of Owner (Affiant)

Floyd Rothstein

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

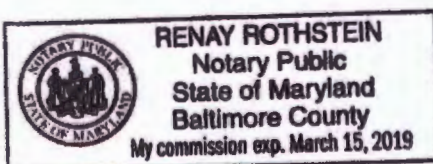
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of September, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Floyd Rothstein

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

AS WITNESS my hand and Notaries Seal



Notary Public

My Commission Expires

**Attachment for
Administrative Variance Request**

Administrative Variance from Section 205.2 of the Baltimore County Zoning Regulations (1969 edition) to permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet, and a front yard setback of 50 feet from the center line of Verbena Road in lieu of the required 65 feet.

Administrative Variance from Section 205.3 of the Baltimore County Zoning Regulations (1969 edition) to permit a side setback of 3 feet in lieu of the required 15 feet.

ZONING DESCRIPTION

Zoning Description For 7209 Verbena Road

Beginning at a point on the South side of Verbena Road, which varies in width at the distance of 410 ft. northwest of the centerline of the nearest improved intersecting street Pheasant Cross Drive, which is 50 ft. wide. Being Lot # 6, Section 4, Block G in the subdivision of Green Gate as recorded in Baltimore County Plat Book #0037, Folio# 0028, containing 18,200 square feet and located in the 3rd Election District, 2nd Councilmanic District.

2016-0076 -A

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

No. **128744**

Date: **9/23/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
 9/24/2015 9/23/2015 10:22:10

RES WSD1 WALKIN LRA5 LTR

RECEIPT # 61459 9/23/2015

5 528 IDLING VERIFICATION

CE NO: 128744

Receipt Tot \$75.00

\$75.00 CK \$1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0010		6150				\$ 75.00

Total: **\$ 75.00**

Rec From: **ROTHSTEIN**

For: **2016-0076-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Mayor & City Council 251 Md. 554 (1968); Daihl v. County Board of Appeals 258 Md. 157 (1970); North v. St. Mary's County 99 Md. App. 502 (1994); Cromwell v. Ward 102 Md. App. 691 (1995); Riffin v. People's Counsel 137 Md. App. 90, cert. denied 363 Md. 660 (2001); Montgomery County v. Rotwein 169 Md. App. 716 (2006); Chesley v. City of Annapolis 176 Md. App. 413 (2007).

Because a primary function of the variance process is to assure a property owner has some basic or fundamental use of the property, such as the dwelling here, it would be a rare case where the evidence could justify a variance for an addition or accessory use. Judge Beverungen accurately identified that where there is neighborhood opposition to a variance, "... the petitioner faces an uphill battle." Judge Beverungen continued, on page 3,

"In fact, I was unable to locate a Maryland appellate court opinion from the last twenty years which upheld the grant of a variance."

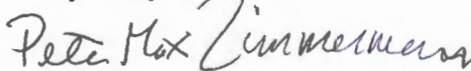
We agree with Judge Beverungen.

The Court of Appeals did affirm the grant of a side yard setback variance in McLean v. Soley 270 Md. 208 (1973). But Judge Cathell saw this case as an outlier in Cromwell v. Ward. There are also some variance cases under the Chesapeake Bay Critical Area law, but the standards there are different.

Thank you for your consideration. We are sending a copy of this letter directly to Petitioners, Floyd and Renay Rothstein, because they filed the appeal, without counsel of record at the ALJ level, Adam Rosenblatt, Esquire. We are sending a courtesy copy to Mr. Rosenblatt. While he has not entered his appearance at the CBA level, he has not filed a withdrawal of appearance either. We are unsure whether he is still in the case.

Please accept this letter as our office's submission for the record.

Very Truly Yours



Peter Max Zimmerman

People's Counsel for Baltimore County

PMZ/rmw

cc: Floyd Rothstein and Renay Rothstein
Adam Rosenblatt, Esquire, attorney of record for Petitioners at the ALJ level
J. Carroll Holzer, Esquire, attorney for Protestants



Google earth





Google earth

feet 10
meters 3



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 - 03 Account Number - 1600012866								
Owner Information										
Owner Name:		ROTHSTEIN FLOYD ROTHSTEIN RENAY				Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		7209 VERBENA RD BALTIMORE MD 21209-1035				Deed Reference:		/36442/ 00437		
Location & Structure Information										
Premises Address:		7209 VERBENA RD 0-0000				Legal Description: 7209 VERBENA RD GREEN GATE				
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	2
0069	0019	1119		0000	4	G	6	2014	Plat Ref:	0037/0028
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use	
1975		2,152 SF			540 SF		18,200 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1	YES	STANDARD UNIT	FRAME	2 full/ 1 half						
Value Information										
			Base Value	Value	Phase-in Assessments					
				As of 01/01/2014	As of 07/01/2015		As of 07/01/2016			
Land:			145,800	131,500						
Improvements			175,200	211,600						
Total:			321,000	343,100	335,733		343,100			
Preferential Land:			0				0			
Transfer Information										
Seller: POTLER STEVEN J				Date: 07/22/2015			Price: \$418,000			
Type: ARMS LENGTH IMPROVED				Deed1: /36442/ 00437			Deed2:			
Seller: POTLER STEVEN J				Date: 11/02/2005			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /22835/ 00639			Deed2:			
Seller: SHERMAN JOEL M				Date: 01/10/2005			Price: \$427,000			
Type: ARMS LENGTH IMPROVED				Deed1: /21250/ 00118			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class	07/01/2015				07/01/2016			
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										

RE: PETITION FOR ADMINISTRATIVE * BEFORE THE BOARD
VARIANCE *
7209 Verbena Road * OF APPEALS
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): Floyd & Renay Rothstein * FOR
Petitioner(s) * BALTIMORE COUNTY
* 2016-076-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
JAN 11 2016

BALTIMORE COUNTY
BOARD OF APPEALS

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

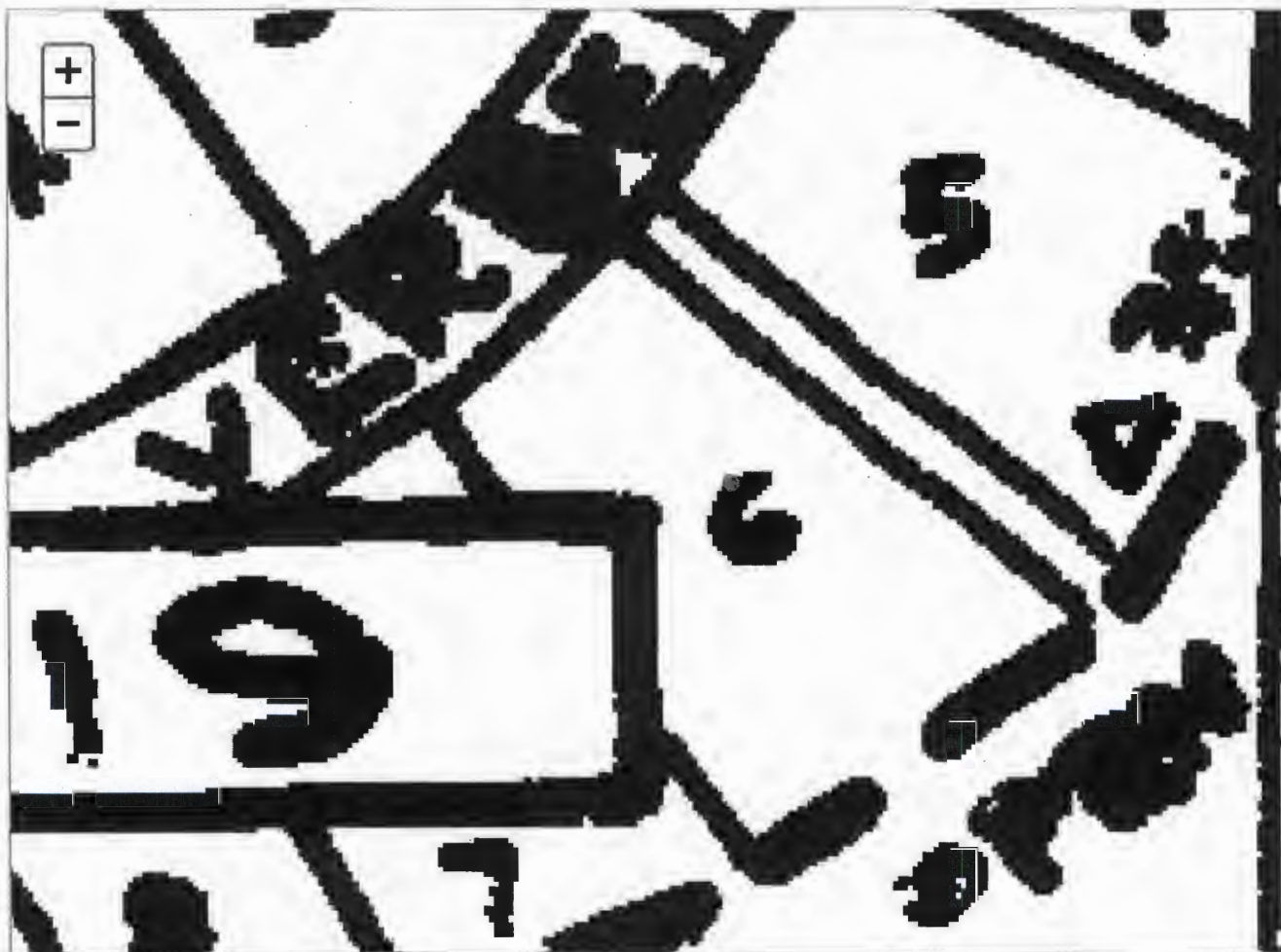
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of January, 2016, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, MD 21286 and Adam Rosenblatt, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Baltimore County[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **03** Account Number: **1600012866**

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.

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>).

CERTIFICATE OF POSTING

RE: Case No. 2016-0076-A

Petitioner: Floyd Rothstein

Hearing / Closing Date: 10/19/15

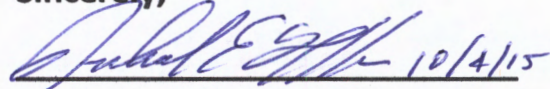
Baltimore County Department of
Permits and Development Management
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

7209 Verbena Road

on 10/4/15

Sincerely,

 10/4/15

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

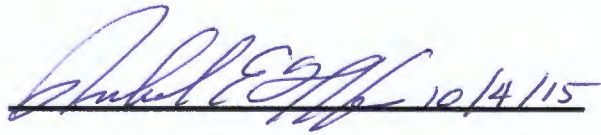
Certificate of Posting

Case No. 2016-0076-A



7209 Verbena Road

(Posted 10/4/15)

 10/4/15

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



KEVIN KAMENETZ
County Executive

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

October 22, 2015

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: 2016-0076-A

7209 Verbena Road
SE/s Verbena Road, SW of Pleasant Cross Drive
3rd Election District – 2nd Councilmanic District
Legal Owners: Floyd & Renay Rothstein

Variance to permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; to permit a side setback of 3 feet in lieu of the required 15 feet.

Hearing: Monday, November 30, 2015 at 10:00 a.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: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Mr. & Mrs. Rothstein, 7209 Verbena Road, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 10, 2015**
- (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.



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3729640

Sold To:

Floyd & Renay Rothstein - CU00486492
7209 Verbena Rd
Baltimore, MD 21209-1035

Bill To:

Floyd & Renay Rothstein - CU00486492
7209 Verbena Rd
Baltimore, MD 21209-1035

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Nov 10, 2015

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

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: # 2016-0076-A
7209 Verbena Road
SE/s Verbena Road, SW of Pleasant Cross Drive
3rd Election District - 2nd Councilmanic District
Legal Owner(s) Floyd & Renay Rothstein

Variance: to permit a front yard setback of 24 feet from the front lot line in lieu of the required 40 feet and a front yard setback of 50 feet from the centerline of Verbena Road in lieu of the required 65 feet; to permit a side setback of 3 feet in lieu of the required 15 feet.

Hearing: Monday, November 30, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 11/668 November 10 3729640

CASE NAME Rothstein
CASE NUMBER 2016-0076
DATE 11-30-2015

[illegible]

CASE NAME Rothstein
CASE NUMBER 2015-0076
DATE 11-30-2015

[illegible]



KEVIN KAMENETZ
County Executive

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

November 23, 2015

Floyd & Reney Rothstein
7209 Verbena Road
Baltimore MD 21209

RE: Case Number: 2016-0076 X, Address: 7209 Verbena Road

Dear Mr. & Ms. Rothstein:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 23, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Adam M Rosenblatt, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 4/30/15

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

RE: Baltimore County
Item No. 2016-0076-A
Administrative Variance
Floyd Rothstein
7209 Verbena 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. 2016-0076-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 07 2015



OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: 10-7-2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0076-A
Address: 7209 Verbena Road
Owner: (Floyd Rothstein)

Zoning Advisory Committee Meeting of 09-28-2015.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 30, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7209 Verbena Road, Administrative Variance

RECEIVED

INFORMATION:

Item Number: 16-076

NOV 30 2015

Petitioner: Floyd Rothstein et ux

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 2

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Administrative Variance to permit an addition with a front yard setback of 24', a front yard setback of 50' to the road centerline and a side yard setback of 3' in lieu of the required 40', 65' and 15' respectively.

The Department has no objection to granting the petitioned variance relief. The submitted site plan represents a good faith response on the part of the petitioner to recommendations made by the Sector Planner.

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

Division Chief: Kathy Schlabach

AVA/KS

c: Bill Skibinski

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 October 5, 2015
Item No. 2016-0071, 0073, 0074, 0075 and 0076

DATE: October 2, 2015

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\ZAC10052015.doc

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0076 -A Address 7209 VERBENA RD
Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9/23/15 Posting Date: 10/4/15 Closing Date: 10/19/15

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

- 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.
- 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.
- 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.
- 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 2016- 0076 -A Address 7209 VERBENA RD.
Petitioner's Name ROTHSTEIN Telephone 410-484-8000
Posting Date: 10/4/15 Closing Date: 10/19/15
Wording for Sign: To Permit AN ATTACHED GARAGE ADDITION TO THE FRONT OF THE HOME
WITH A FRONT YARD SETBACK OF 24 FEET IN LIEU OF THE REQUIRED 40 FEET AND A
FRONT YARD SETBACK OF 50 FEET FROM THE CENTER LINE OF VERBENA RD IN LIEU OF
THE REQUIRED 65 FEET, AND, TO PERMIT A SIDE SETBACK OF 3 FEET IN LIEU OF
THE REQUIRED 15 FEET.

Revised 7/18/14

(w4)

BALTIMORE COUNTY

View GroundRent Redemption

View GroundRent Registration

District - 03 Account Number - 1600012866

Owner Information

Use:
Principal Residence:
Deed Reference:

**RESIDENTIAL
YES**
/36442/ 00437

ROTHSTEIN FLOYD
ROTHSTEIN RENAY
7209 VERBENA RD
BALTIMORE MD 21209-
1035

Location & Structure Information

Legal Description:

7209 VERBENA RD
GREEN GATE

7209 VERBENA RD
0-0000

Address:

Parcel: 1119

Sub District: 0000

Subdivision: 4

Section: G

Block: 6

Lot: 2

Assessment Year: 2014

Plat No: 0037/
Plat Ref: 0028

NONE

Areas:

Primary Structure
Built 1975

Above Grade Enclosed
Area 2,152 SF

Town:
Ad Valorem:
Tax Class:

Finished Basement
Area 540 SF

Property Land
Area 18,200 SF

County
Use 04

Garage Last Major Renovat

Stories 1

Basement YES

Type STANDARD UNIT

Exterior FRAME

Full/Half Bath 2 full/ 1 half

Phase-in Assessments
As of 07/01/2015

As of 07/01/2016

Base Value

Value
As of 01/01/2014
131,500
211,600
343,100

335,733

343,100
0

Land:
Improvements
Total:
Preferential Land:

145,800
175,200
321,000
0

Transfer Information

Date: 07/22/2015
Deed1: /36442/ 00437

Date: 11/02/2005
Deed1: /22835/ 00639

Date: 01/10/2005
Deed1: /21250/ 00118

Exemption Information

07/01/2015
0.00
0.00
0.00/0.00

Price: \$418,000
Deed2:

Price: \$0
Deed2:

Price: \$42
Deed2:

07/

Seller: POTLER STEVEN J
Type: ARMS LENGTH IMPROVED
Seller: POTLER STEVEN J
Type: NON-ARMS LENGTH OTHER
Seller: SHERMAN JOEL M
Type: ARMS LENGTH IMPROVED

Partial Exempt Assessments: Class
County: 000
State: 000
Municipal: 000

Tax Exempt:
Exempt Class:

Special Tax Recapture:
NONE

Homestead Application Information

Homestead Application Status: No Application

SDAT: Real Property Search

Real Property Data Search

Search Result for BAL

View Map

Account Identifier



Fee paid
Under Case #
2016-0015-A

FORMAL DEMAND FOR HEARING

CASE NUMBER: 2016-0076

Address: 7209 Verbena Rd

Petitioner(s): Michael & Yelena Shirkin

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We MICHAEL & YELENA SHIRKIN

Name - Type or Print

☒ Legal Owner OR ☐ Resident of

7207 Verbena Rd

Address

Baltimore MD 21209

City State Zip Code

410-580-0933

Telephone Number

which is located approximately _____ feet from the
property, which is the subject of the above petition, **do hereby
formally demand that a public hearing be set in this matter.**

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

Michael Shirkin 10/14/2015
Signature Date

[Signature] 10/14/2015
Signature Date

Revised 9/18/98 - wcr/scj

Mervyn F. Pinerman DDS FACD

General Dentistry

2101 Burdock Rd.
Baltimore, Md. 21209

410 484 6644

DRMERV@Verizon.net

21 October 2015

Arnold Jablon, Deputy Administrative Officer

Director permits, approvals, and inspection

111 W Chesapeake Ave Room 105

Towson MD 21204

RE Case number 2016-0016A

7209 VERBENA Rd

BALTIMORE MD 21209

Request for Zoning Variance

Dear Mr Jablon:

I am a neighbor to the owner of 7209 Verbena Rd, Baltimore 21209 and oppose the requested zoning variation for several reasons.

- ① The attached garage is too close to the street. It is a safety hazard due to limited visibility on a street with an S curve which limits visibility to pedestrians and vehicles. The road descends and vehicles speed.
- ② Placing the rear wall of the proposed garage will obstruct the water flow from the high ground at the rear of the property to the front will obstruct the flow of rain water to the street. The water will spill over to the adjacent property at 7209 Verbena Rd causing erosion or flooding of the lower family room.
- ③ Placing the garage three feet from the property line cause a trespass on the adjacent property during construction and future servicing of the garage wall. Placing a ladder too close to the wall is a safety risk.

Sincerely

Mervyn F. Pinerman

Mervyn F. Pinerman DDS FACD

General Dentistry

2101 Burdock Rd.

Baltimore, Md. 21209

410 484 6644

DRMERV@Verizon.net

21 October 2015

Arnold Jablon, Deputy Administrative Officer

Director permits, approvals, and inspection

111 W Chesapeake Ave Room 105

Towson MD 21204

RE Case number 2016-0016A

7209 VERBENA Rd

BALTIMORE MD 21209

Request for Zoning Variance

Dear Mr Jablon:

I am a neighbor to the owners of 7209 Verbena Rd, Balto 21209 and oppose the requested zoning variation for several reasons.

- ① The attached garage is too close to the street. It is a safety hazard due to limited visibility on a street with an S curve which limits visibility to pedestrian and vehicles. The road descends and vehicle speed.
- ② Placing the rear wall of the proposed garage will obstruct the water flow from the high ground at the rear of the property to the front will obstruct the flow of rain water to the street. The water will spill over to the adjacent property at 7209 Verbena Rd causing erosion or flooding of the lower family room.
- ③ Placing the garage three feet from the property line cause a fire hazard on the adjacent property during construction and future servicing of the garage wall. Placing a ladder too close to the wall is a safety risk.

Sincerely

Mervyn F. Pinerman

**BALTIMORE COUNTY
ZONING REGULATIONS**

1969

04813

This is the property of:

Name DOWNES & DEITZ, ATTYS.

Address 212 Washington Avenue

Towson, Maryland 21204

Phone 825-2900

Section 203—USE REGULATIONS

The following uses only are permitted:

203.1—Uses permitted and as limited in R.40 Zone, except that animal boarding place, Class A and kennel are permitted only as Special Exceptions. [Revised by Bill No. 85, 1967]

203.2—Special Exceptions—Same as in R.40 Zone, Section 200.15, except airports, antique shops and residential art salons, which are not permitted, and except that animal boarding place, Class A and Kennel are permitted as special exceptions (see Sections 270 and 502). [Revised by Bill No. 76, 1964; Bill No. 85, 1967]

Section 204—HEIGHT REGULATIONS: Same as R.40 Zone.

Section 205—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

205.1—Lot Area and Width—each principal building hereafter erected shall be located on a lot having an area of not less than 20,000 sq. ft., and a width at the front building line of not less than 100 ft., except that for four or more lots in the same ownership, and in the same tract, a minimum lot area of 15,000 sq. ft. is permitted if an average of all the lot sizes in the same ownership and in the same tract equals 20,000 sq. ft. or more, but not more than thirty per cent of the lots may have an area less than 20,000 sq. ft. (see Section 304). [Revised by Resolution, November 21, 1956]

205.1.1—In a cluster subdivision a minimum lot area of 13,000 square feet is permitted, provided that the average area of all lots in the subdivision equals at least 16,000 square feet and that the total area in residential lots plus the area of the local open space tract(s) equals or exceeds the number of lots multiplied by 20,000 square feet. In such subdivision, not more than 75 percent of the lots may be less than 16,000 square feet in area and the minimum permitted width at the front building line is 80 feet. [Bill No. 106, 1963]

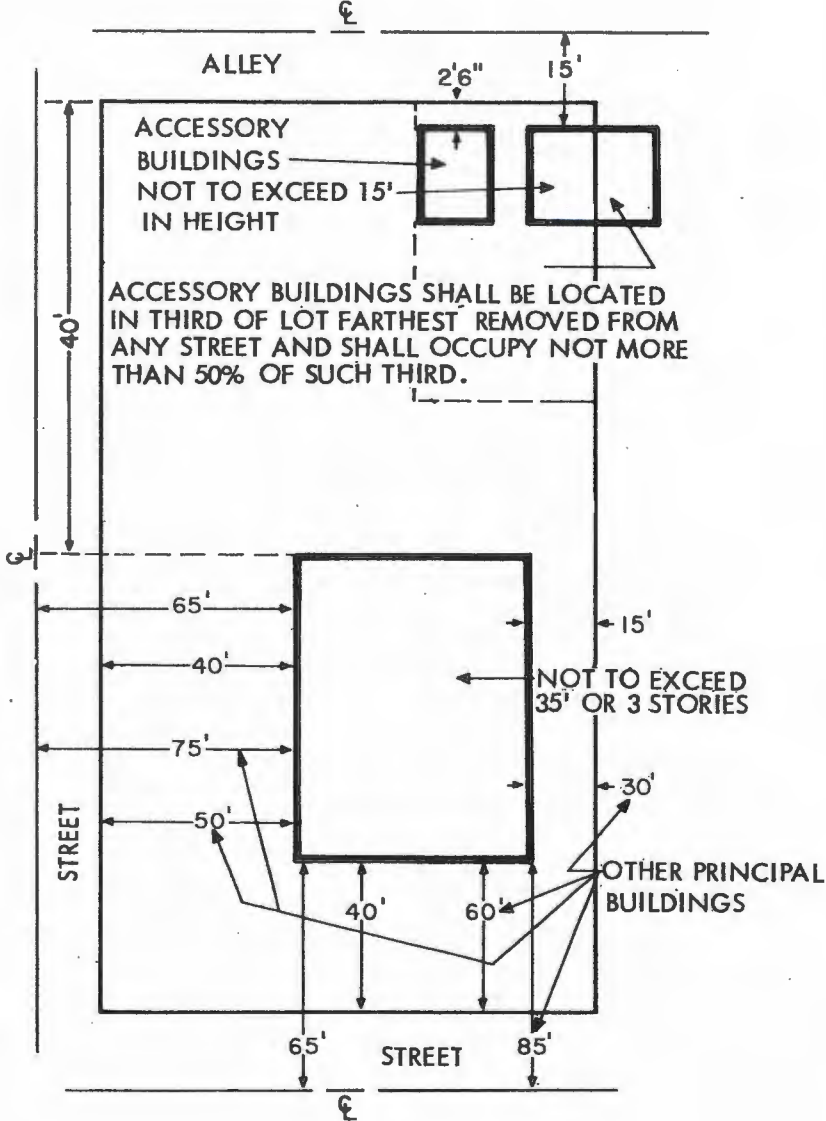
205.2—Front Yard—For dwellings, the front building line shall be not less than 40 feet from the front lot line and not less than 65 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—60 feet from the front lot line and not less than 85 feet from the center line of the street, except as in Section 303.1.

R. 20 ZONE

205.3—Side Yards—For dwellings, 15 feet wide, except that for a corner lot the building line along the side street shall be not less than 40 feet from the side lot line and not less than 65 feet from the center line of the street; for other principal buildings—30 feet wide, except that for a corner lot the building line along the side street shall be not less than 50 feet from the side lot line and not less than 75 feet from the center line of the street. [Revised by Resolution, November 21, 1956]

205.4—Rear Yard—40 feet deep.

R. 20 ZONE CORNER LOT



Average lot area 20,000 square feet. (See Section 205.1.1)

Minimum length 200 feet.

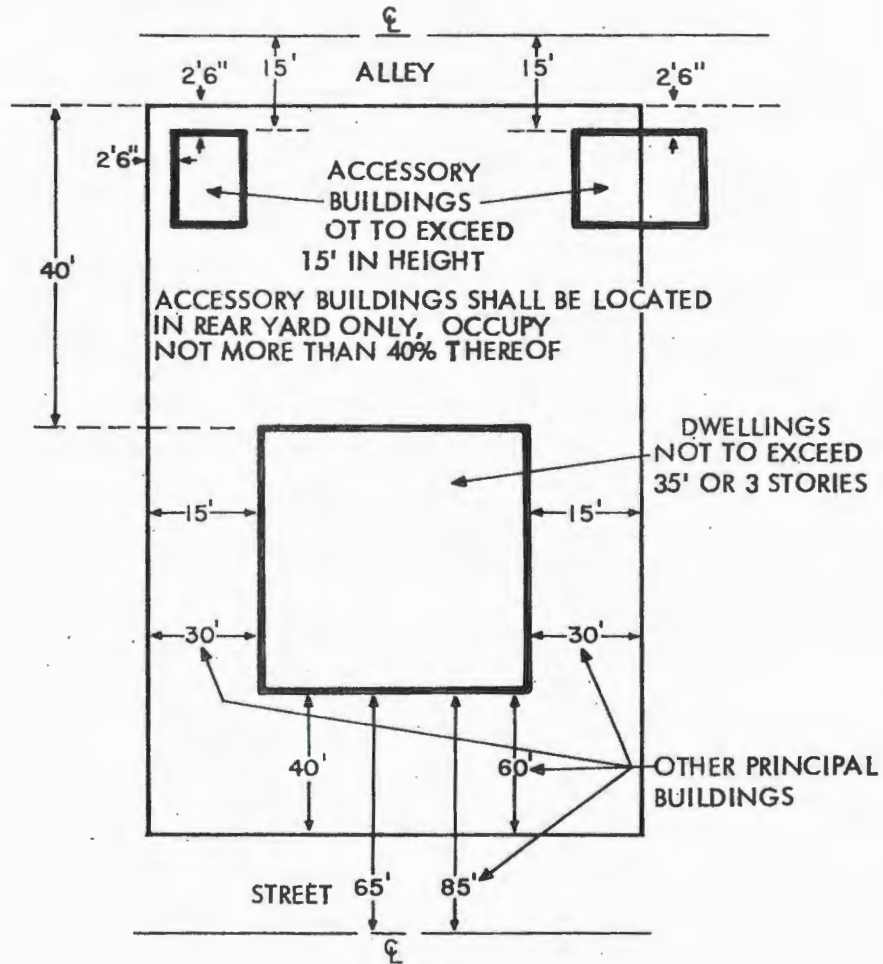
Minimum width 100 feet.

Farm Buildings located on 3 acres or more

FOR INFORMATION ONLY

EXHIBIT A

R. 20 ZONE INSIDE LOT



Average lot area 20,000 square feet. (See Section 205.1.1)

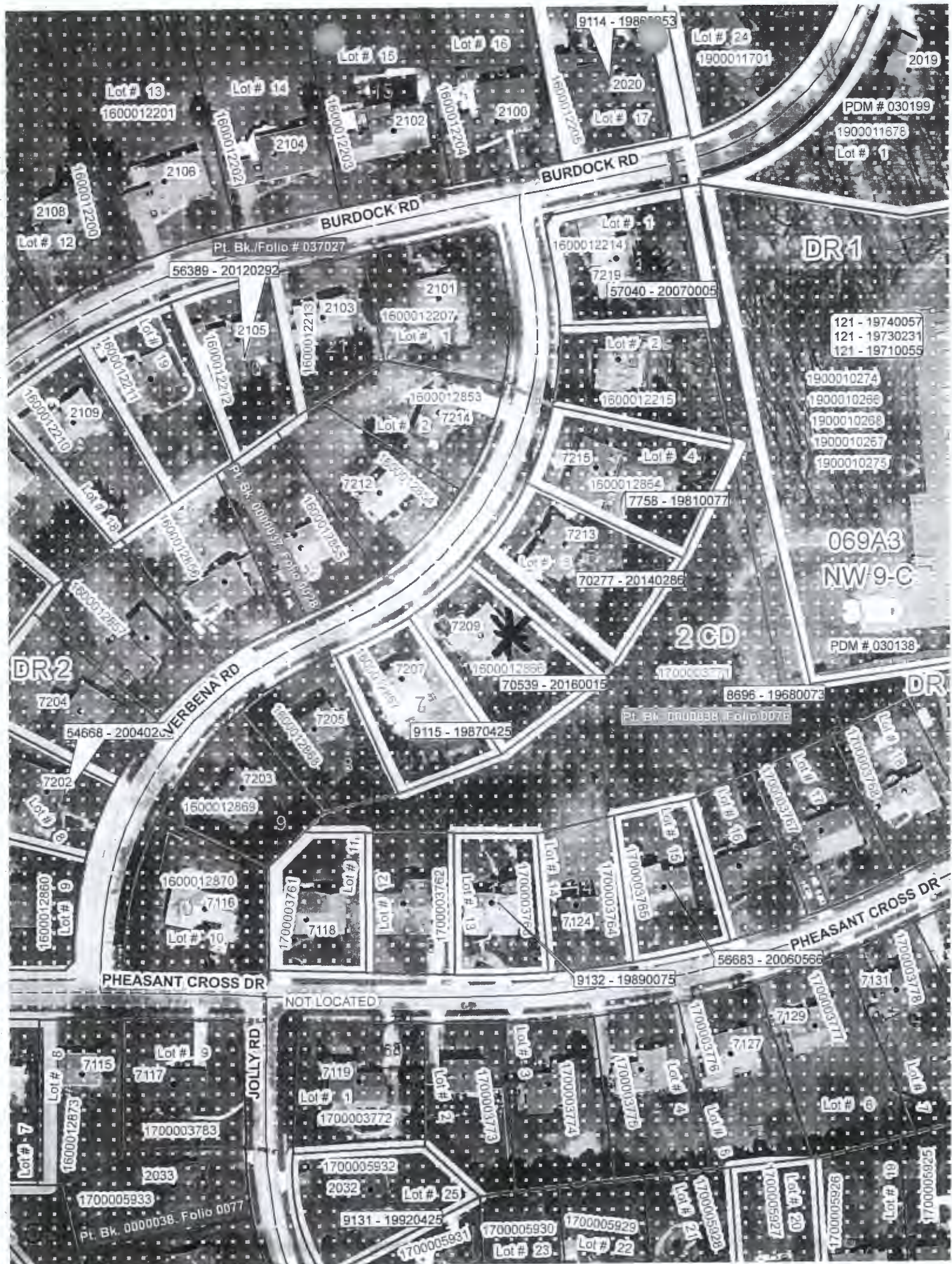
Minimum length 200 feet.

Minimum width 100 feet.

Farm Buildings located on 3 acres or more.

FOR INFORMATION ONLY

EXHIBIT B





My Neighborhood Map

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 with regard to the data, including but not limited to, 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 9/23/2015

Case No.: 2016-0076-A

Exhibit Sheet

Petitioner/Developer

Protestant

SLW
12/3/15

No. 1	Site plan	DOP ZAC comments
No. 2	Elevations	2A-2H photos
No. 3	Garage examples	
No. 4	11-30-2015 DOP ZAC comment (in file)	
No. 5	Kellman CV	
No. 6	Land Dev. Map	
No. 7	GreenGate variances	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 13, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7209 Verbena Road

INFORMATION:

Item Number: 16-015
Petitioner: Floyd Rothstein et ux
Zoning: DR 2
Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Administrative Variance to permit an addition with a front yard setback of 18', a side yard setback of 0' and a sum of side yards of 15' in lieu of the required 40', 25' and 40' respectively.

The Department recommends the requested zoning relief be denied for the following reasons:

- Because of issues of trespass during construction and maintenance, the Department cannot support a layout having a 0' property line setback.
- The proposal presents the potential for vehicles parked between the garage and street to hang over onto the public sidewalk.
- A building projection of this extent into the front yard will have a disruptive effect on the spatial pattern of architecture already established on the street and will block the views from the adjacent lot.

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

Division Chief: Kathy Schleicher

AVA/KS
c: Bill Skibinski

PROTESTANT' S
EXHIBIT NO. 1

Recommendations:

1. Reconfigure the design in order to support a 2 foot minimum side yard setback and a 20 foot minimum front yard setback.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 2016- 0076 -A Address 7209 VERBENA RDContact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 9/23/15 Posting Date: 10/4/15 Closing Date: 10/19/15

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 FORMATCase Number 2016- 0076 -A Address 7209 VERBENA RDPetitioner's Name ROTHSTEIN Telephone 410-484-8000Posting Date: 10/4/15 Closing Date: 10/19/15

Wording for Sign: TO PERMIT AN ATTACHED GARAGE ADDITION TO THE FRONT OF THE HOME
WITH A FRONT YARD SETBACK OF 24 FEET IN LIEU OF THE REQUIRED 40 FEET AND A
FRONT YARD SETBACK OF 50 FEET FROM THE CENTER LINE OF VERBENA RD IN LIEU OF
THE REQUIRED 65 FEET, AND, TO PERMIT A SIDE SETBACK OF 3 FEET IN LIEU OF
THE REQUIRED 15 FEET.

Revised 7/18/14

GARAGE ADDITION EXAMPLES IN GREEN GATE

7213 Verbena

7215 Verbena

7107 Pheasant Cross

2017 Jolly

7219 Verbena

2105 Burdock

2107 Burdock

2109 Burdock

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 30, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 7209 Verbena Road, Administrative Variance
INFORMATION:

NOV 30 2015

Item Number: 16-076
Petitioner: Floyd Rothstein et ux
Zoning: DR 2
Requested Action: Administrative Variance

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Administrative Variance to permit an addition with a front yard setback of 24', a front yard setback of 50' to the road centerline and a side yard setback of 3' in lieu of the required 40', 65' and 15' respectively.

The Department has no objection to granting the petitioned variance relief. The submitted site plan represents a good faith response on the part of the petitioner to recommendations made by the Sector Planner.

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

Division Chief: Kathy Schlabach

AVA/KS
c: Bill Skibinski

PETITIONER'S

EXHIBIT NO. 4



MITCHELL J. KELLMAN
DIRECTOR OF ZONING SERVICES

EDUCATION

Towson University, BA, Geography and Environmental Planning, Urban Planning
Towson University, Masters, Geography and Environmental Planning, Urban Planning

PROFESSIONAL SUMMARY

Mr. Kellman has over 25 years of experience working in zoning, subdivision, and development regulations for the public and private sector; 12 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and the public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, Administrative Law Judges, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings. He is also a member of Baltimore County's Design Review Panel which formulates design recommendations to the Planning staff and Administrative Law Judges.

PERSONAL AND PROFESSIONAL PARTIAL LIST OF PROJECTS

Delight Quarry, Baltimore County, MD
Columbia Crescent, Howard County, MD
Hunt Valley Towne Centre, Baltimore County, MD
Charlestown Retirement Community, Baltimore County, MD
GBMC, Baltimore County, MD
Greenspring Quarry, Baltimore County, MD
Norris Acura, Howard County, MD
Loveton Business Center, Baltimore County, MD
Notre Dame Preparatory School, Baltimore County, MD
Oakcrest Village Retirement Community, Baltimore County, MD
Sheppard and Enoch Pratt Hospital, Baltimore and Howard County, MD
Sparks Corporate Center, Baltimore County, MD
Towson Town Center, Baltimore County, MD

MEMBERSHIPS AND ASSOCIATIONS

Baltimore County Design Review Panel, 2012-Present
Baltimore County Landmarks Preservation Commission, 2014-Present
Greater Towson Committee, Planning and Development Sub-Committee, 2012-2014
Greater Towson Committee, Government Relations Sub-Committee Chair, 2013-2014
Greater Towson Committee Board of Directors - Secretary, 2014
Leadership Baltimore County, 2013

PROFESSIONAL EXPERIENCE

Daft-McCune-Walker, Inc., Towson, MD 2000-Present
Baltimore County Office of Planning and Zoning, Permits and Development Management – Zoning Office, Development Control, 1988-2000

5
PETITIONER'S EXHIBIT



PETITIONER'S EXHIBIT **6**



Land Development Map

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 with regard to the data, including but not limited to, 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.

GREEN GATE GARAGES AND SETBACK VARIANCES

7207 Verbena: garage addition (1987-0425-A)

- 6 foot side

7213 Verbena: garage addition (2014-0286-A)

- side

7215 Verbena: garage addition (1981-0077-A)

- 4 foot side
- 27 foot front

7219 Verbena: (2007-0005-A)

- 14 foot side
- 39 foot to right of way in front (corner lot)

2105 Burdock Road: (2012-0292-A)

- Side and front

2107 Burdock: garage addition (2006-120-A)

- 5 foot side
- 19 foot front

2109 Burdock: (2002-361-A)

- 0 foot side
- 20 foot front

2020 Burdock: (1986-0253-A)

- 1 foot side

7103 Pheasant Cross Drive: garage addition (1998-35-A)

- 1 foot side
- 1 foot rear

7107 Pheasant Cross Drive: garage addition (1999-162-A)

- 2 foot side
- 25 foot front

2015 Jolly Road: addition (2005-168-A)

- 5 foot side

2017 Jolly Road: garage addition (1999-394-A)

- 15 foot front yard











































9107 - 19940111
9107 - 20010502
9107 - 19960202
9107 - 19990345
9107 - 19950176

PDM # 030392

0316002390

DR 1

Pt. Bk. 0000037, Folio 0027

1600012206

Pt. Bk./Folio # 037027

OPEN SPACE

9114 - 19860253

Lot # 15

Lot # 16

Lot # 17

1600012205

1900011701

2012

2014

2020

Lot # 18

Lot # 19

Lot # 1

1900011678

2016

2017

2019

2004

2006

2008

2010

2012

2014

2016

2018

2020

2022

2024

2026

2028

2030

2032

2034

2036

2038

2040

2042

2044

2046

2048

2050

2052

2054

2056

2058

2060

2062

2064

2066

2068

2070

2072

2074

2076

2078

2080

2082

2084

2086

2088

2090

2092

2094

2096

2098

2100

2102

2104

2106

2108

2110

2112

2114

2116

2118

2120

2122

2124

2126

2128

2130

2132

2134

2136

2138

2140

2142

2144

2146

2148

2150

2152

2154

2156

2158

2160

2162

2164

2166

2168

2170

2172

2174

2176

2178

2180

2182

2184

2186

2188

2190

2192

2194

2196

2198

2200

2202

2204

2206

2208

2210

2212

2214

2216

2218

2220

2222

2224

2226

2228

2230

2232

2234

2236

2238

2240

2242

2244

2246

2248

2250

2252

2254

2256

2258

2260

2262

2264

2266

2268

2270

2272

2274

2276

2278

2280

2282

2284

2286

2288

2290

2292

2294

2296

2298

2300

2302

2304

2306

2308

2310

2312

2314

2316

2318

2320

2322

2324

2326

2328

2330

2332

2334

2336

2338

2340

2342

2344

2346

2348

2350

2352

2354

2356

2358

2360

2362

2364

2366

2368

2370

2372

2374

2376

2378

2380

2382

2384

2386

2388

2390

2392

2394

2396

2398

2400

2402

2404

2406

2408

2410

2412

2414

2416

2418

2420

2422

2424

2426

2428

2430

2432

2434

2436

2438

2440

2442

2444

2446

2448

2450

2452

2454

2456

2458

2460

2462

2464

2466

2468

2470

2472

2474

2476

2478

2480

2482

2484

2486

2488

2490

2492

2494

2496

2498

2500

2502

2504

2506

2508

2510

2512

2514

2516

2518

2520

2522

2524

2526

2528

2530

2532

2534

2536

2538

2540

2542

2544

2546

2548

2550

2552

2554

2556

2558

2560

2562

2564

2566

2568

2570

2572

2574

2576

2578

2580

2582

2584

2586

2588





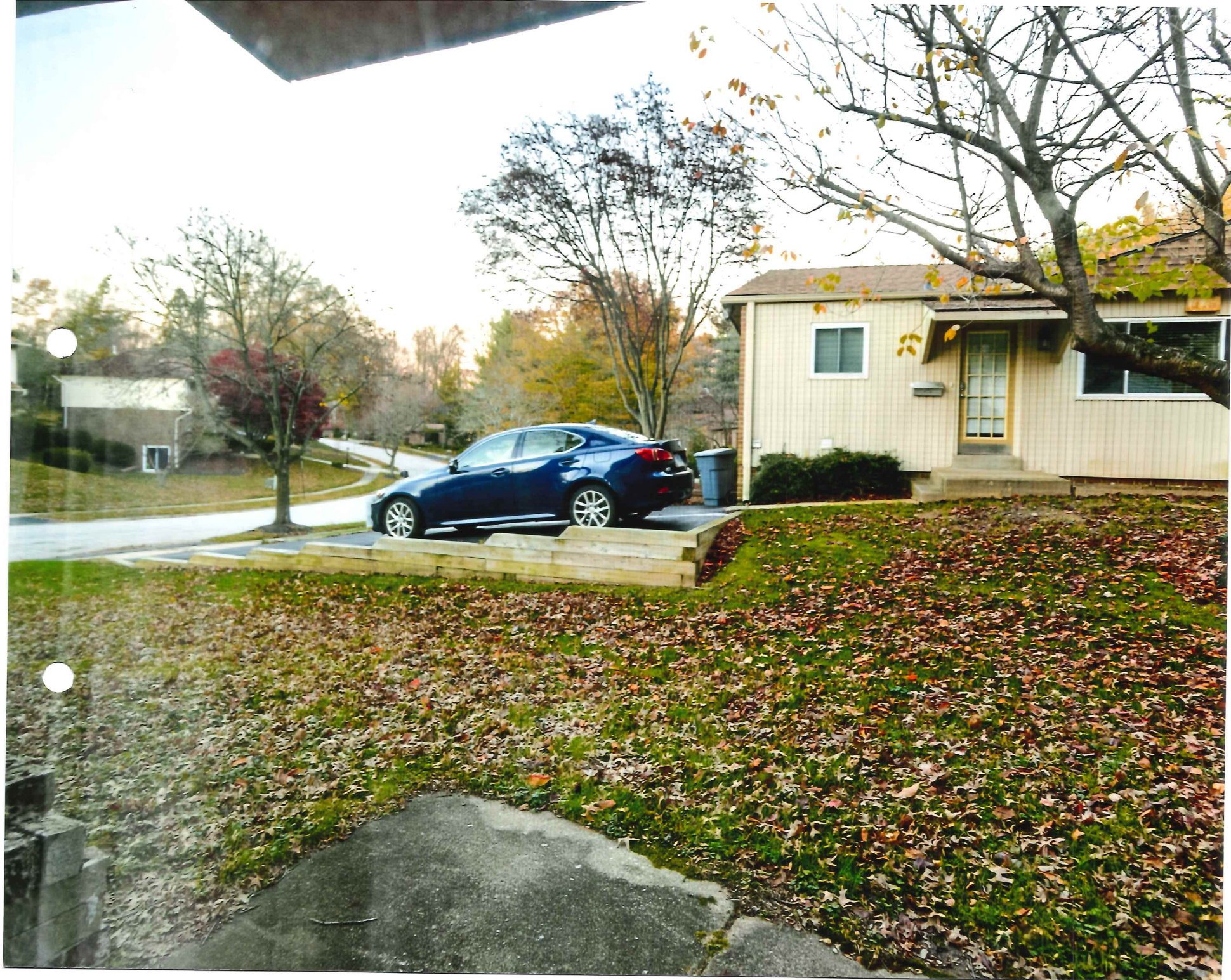










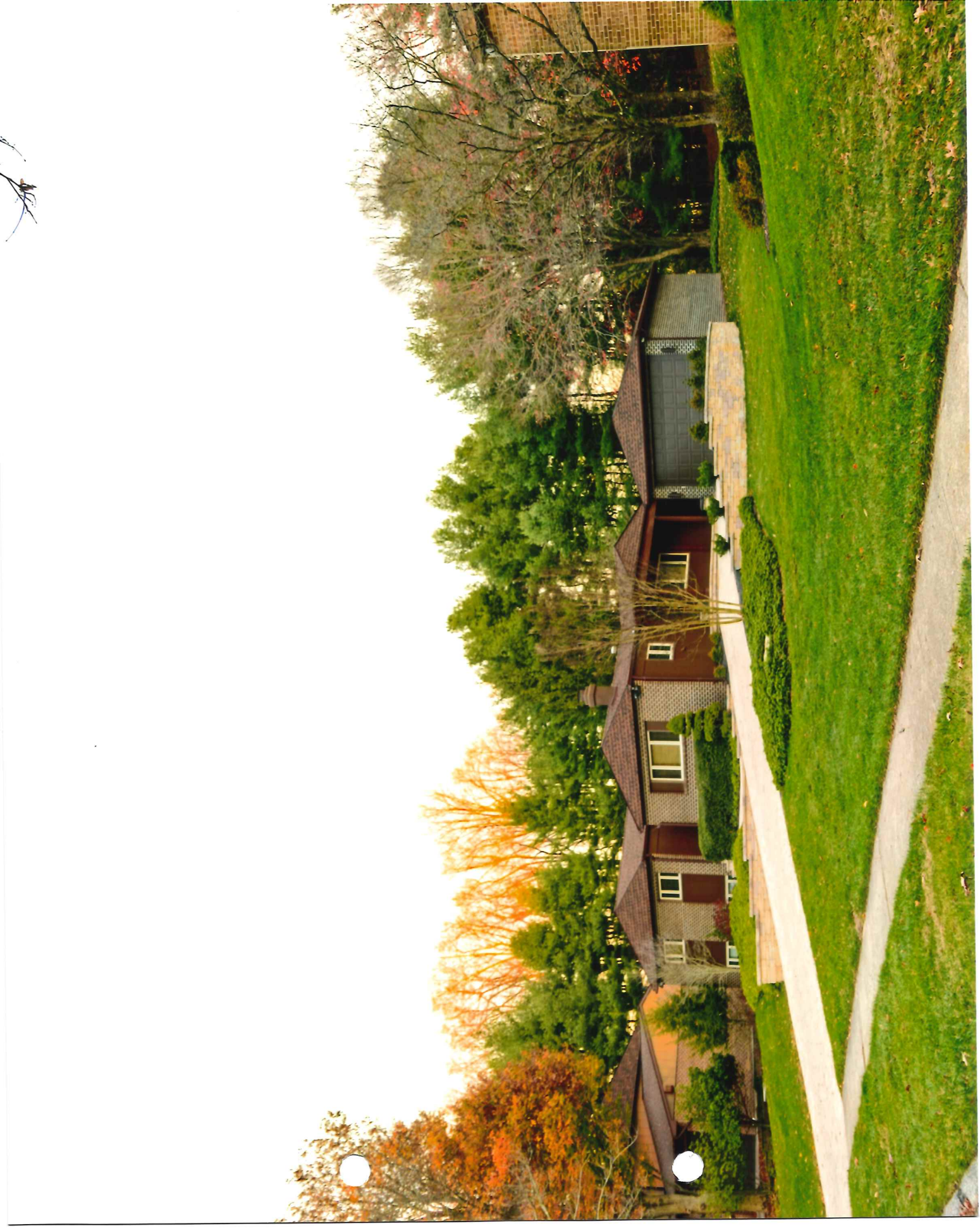










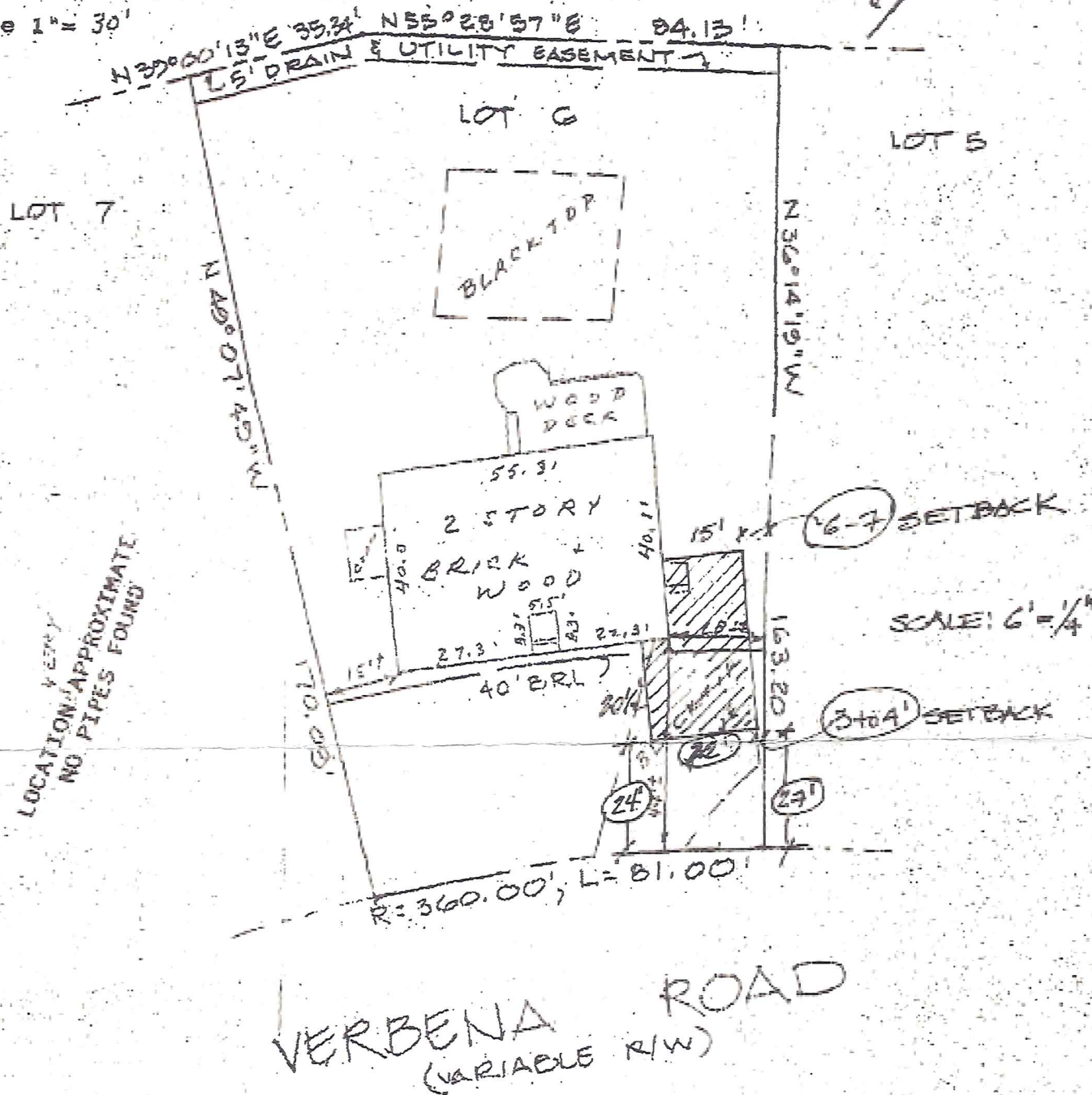








BH04-84-227 7209 VERBENA BALTIMORE BC 10/22/04 ADJN Case#AT-8811
 Fema Panel: 240010 0245E
 Flood Zone: C
 LOT 6 BLOCK G
 PLAT 2 SECTION 4 GREEN GATE
 Book: 37
 Folio: 28
 Dist: 3
 Co: BALTIMORE
 MD
 Scale 1" = 30'



EMAIL: SURVEYASSOCIATES@BROL'S.COM

LOCATION
MORTGAGE
SURVEY

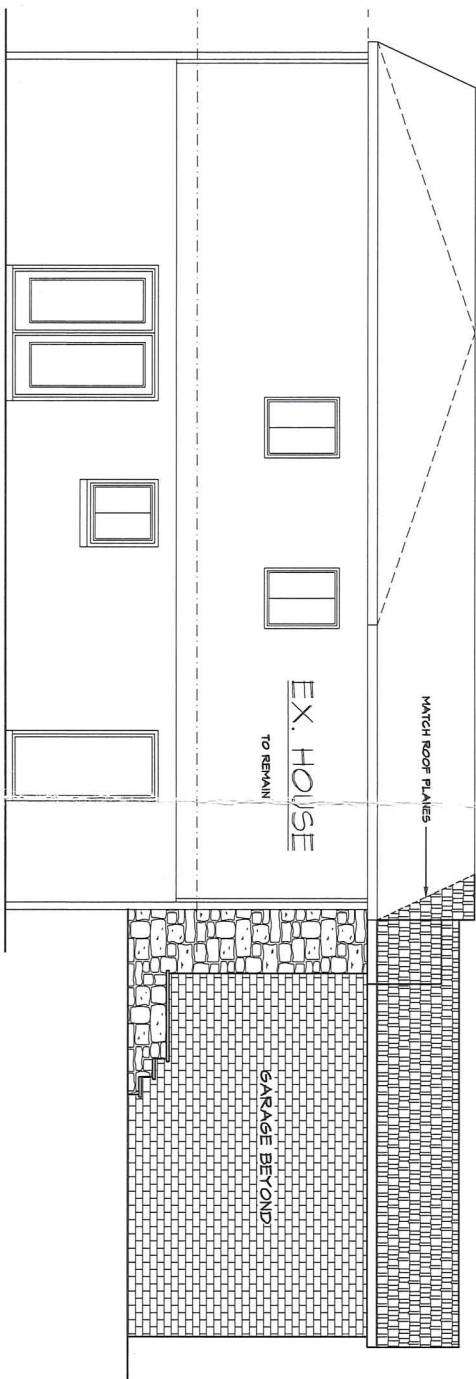
Accuracy: Approximate average accuracy (SD of sideline distance) for small suburban lots is two feet, and for larger lots and metes and bounds parcels varies from two to twenty feet or more. In case of doubt, we recommend a Boundary Survey.

LEGEND
 Shed (unsurveyed) [S]
 Blacktop Drive [---]
 Gravel Drive [==]
 Concrete [=====]

This is an improvements Location Survey only, and must not be used for Boundary purposes. No Title Report furnished. No statement is made as to ownership of property or right or interest therein. Fences are approximate only and may not be shown. Not to be used for construction purposes or permits of any kind whatsoever.

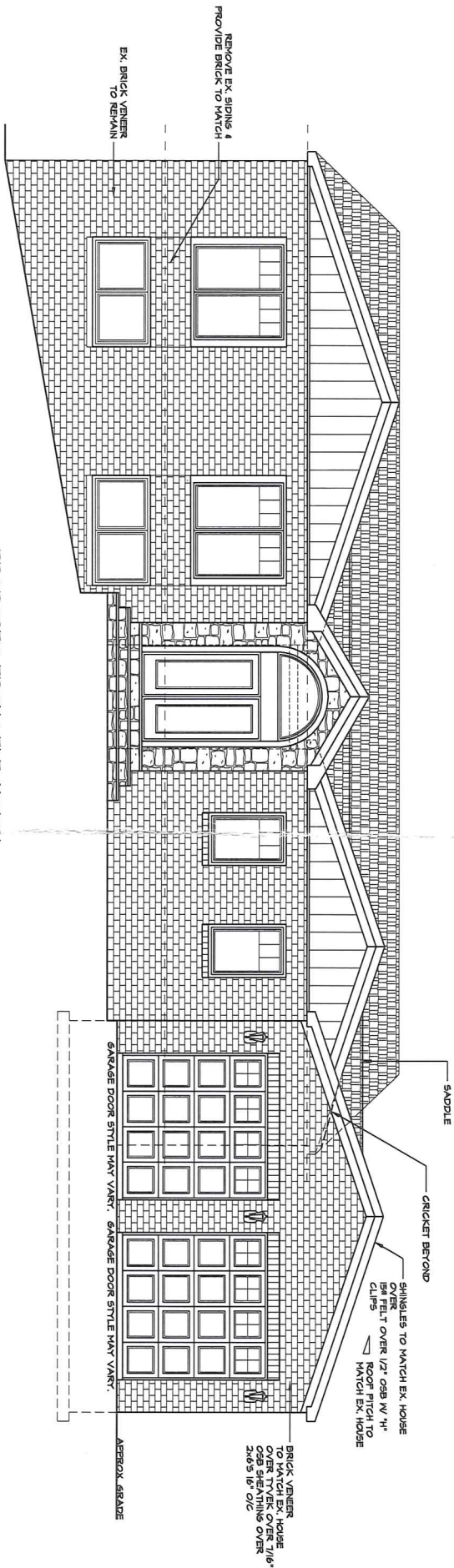
SURVEY ASSOCIATES

200 GRAYS ROAD
 HARWOOD, MARYLAND 20776
 TEL 410 266 7211 FAX 410 266 0918
 FAX BALT 410 841 6150



PROPOSED LEFT SIDE ELEVATION

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



PROPOSED FRONT ELEVATION

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

REMODELING & ADDITIONS TO THE ROTHSTEIN RESIDENCE

PROJECT ADDRESS:
7700 BROADWAY
BALTIMORE, MD 21204
BALTIMORE COUNTY, MD

FILE: ROTHSTEIN REMODEL

SCALE: 1/4" = 1'-0"
DATE: 6/2015
SHEET NO.: 1 OF

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

PETITIONER'S EXHIBIT 2

7209 VERBENA ROAD
BALTIMORE, MD 21209

LOT 6, BLOCK 6
"GREEN GATE"
K: 37, FOLIO: 28, DISTRICT:
BALTIMORE COUNTY, MD

PROVIDED BY:

**SURVEY ASSOCIATES
200 GRAYS ROAD
HARWOOD, MARYLAND 20776**



SCALE: 1"=20'-0"

FILE: ROTHSTEIN REMODEL

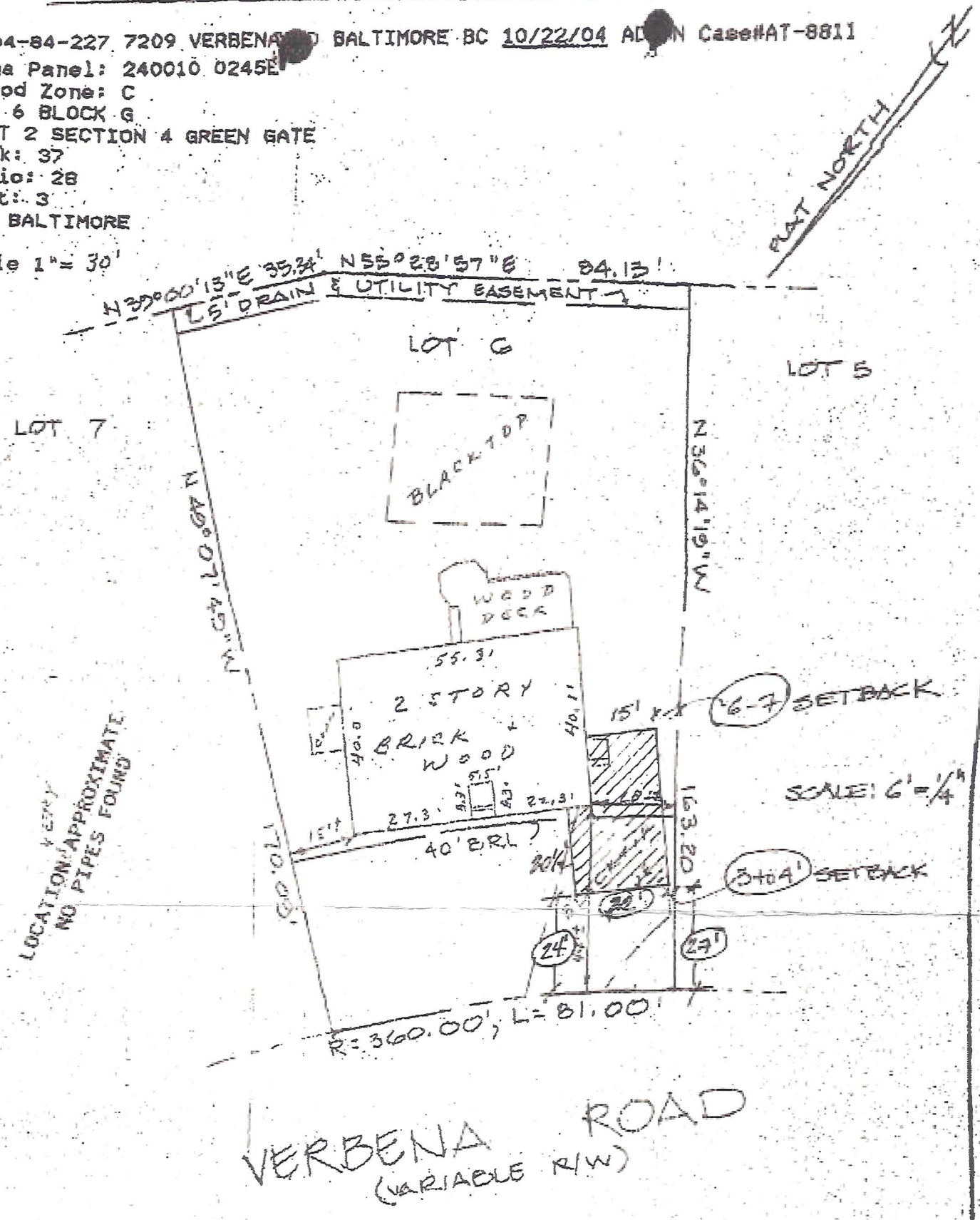
DATE: 6/2015

1. **CR**

PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

BH04-84-227 7209 VERBENA RD BALTIMORE BC 10/22/04 ADJ Case#AT-8811
 Fema Panel: 240010 0245E
 Flood Zone: C
 LOT 6 BLOCK G
 PLAT 2 SECTION 4 GREEN GATE
 Book: 37
 Folio: 28
 Dist: 3
 Co: BALTIMORE
 MD
 Scale 1" = 30'



VERBENA ROAD
 (VARIABLE R/W)



EMAIL: SURVEYASSOCIATES@EROL'S.COM

LOCATION
 MORTGAGE
 SURVEY

Accuracy: Approximate average accuracy (SD of sideline distance) for small suburban lots is two feet, and for larger lots and metes and bounds parcels varies from two to twenty feet or more. In case of doubt, we recommend a Boundary Survey.

LEGEND
 Shed (unsurveyed) [S]
 Blacktop Drive [---]
 Gravel Drive [== ==]
 Concrete [=====]

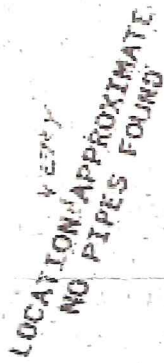
This is an improvements Location Survey only, and must not be used for Boundary purposes. No Title Report furnished. No statement is made as to ownership of property or right or interest therein. Fences are approximate only and may not be shown. Not to be used for construction purposes or permits of any kind whatsoever.

SURVEY ASSOCIATES

200 GRAYS ROAD
 HARWOOD, MARYLAND 20776
 TEL 410 266 7211 FAX 410 266 0918
 FAX BALT 410 841 6150

AT-8811

PLAT NORTH



VERBENA ROAD
(VARIABLE R/W)



LOCATION.
MORTGAGE
SURVEY

LEGEND
Shed (unsurveyed) 
Blacktop Drive 
Gravel Drive 
Concrete 

SURVEY ASSOCIATES

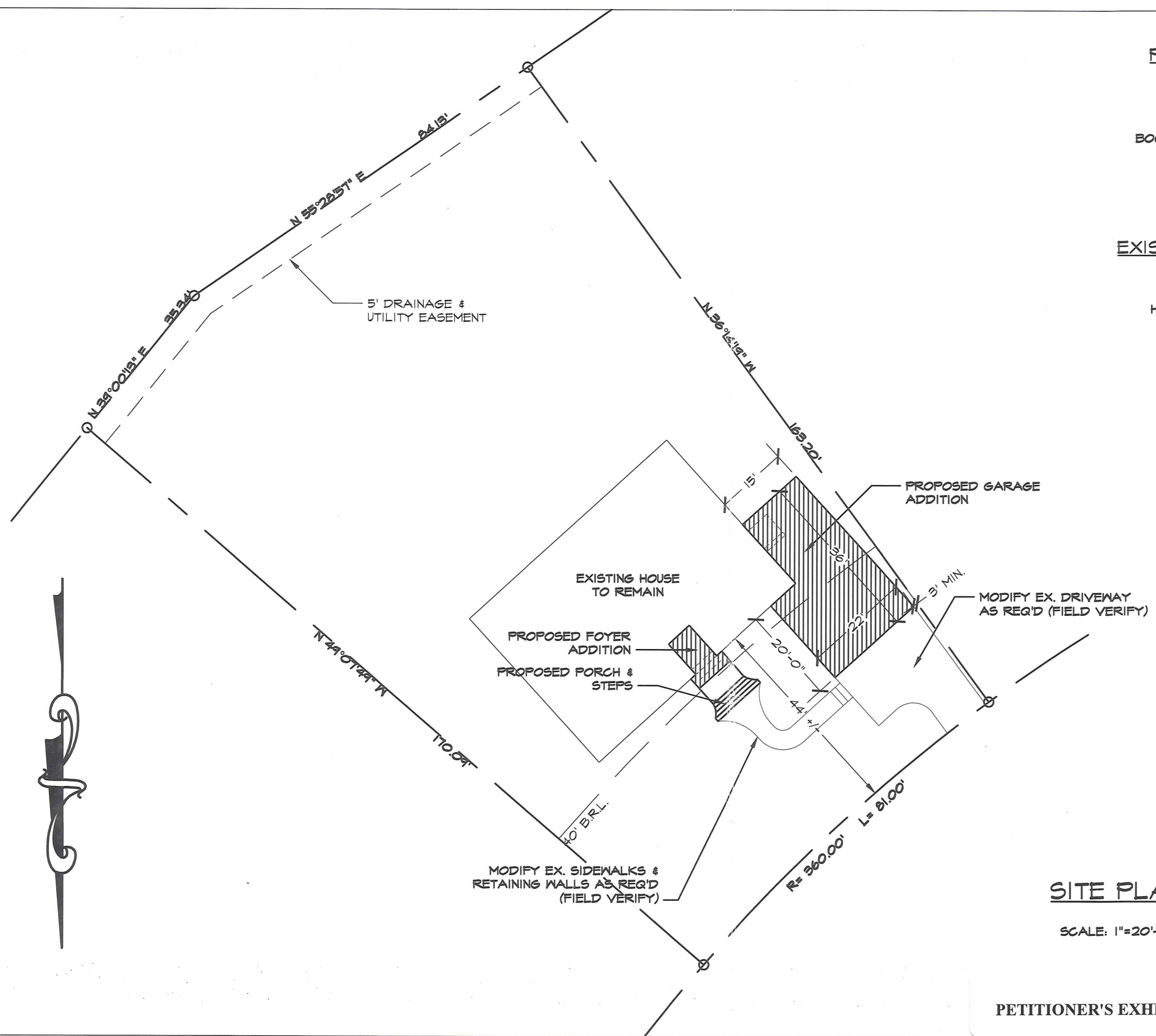
HARWOOD, MARYLAND 20776
TEL 410 266 7211 FAX 410 266 0918
FAX BALT 410 841 6150

PROJECT ADDRESS:
7209 VERBENA ROAD
BALTIMORE, MD 21209

LOT 6, BLOCK 6
"GREEN GATE"
BOOK: 37, FOLIO: 28, DISTRICT: 3
BALTIMORE COUNTY, MD

EXISTING SITE CONDITIONS
PROVIDED BY:
SURVEY ASSOCIATES
200 GRAYS ROAD
HARWOOD, MARYLAND 20776

REMODELING & ADDITIONS TO
THE ROTHSTEIN RESIDENCE



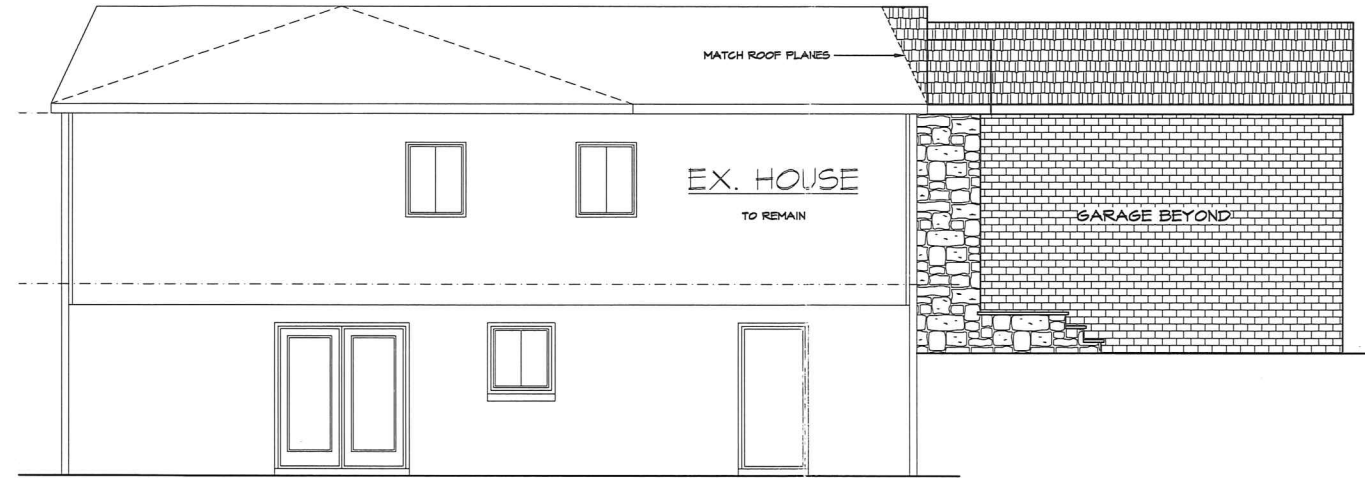
SITE PLAN

SCALE: 1"=20'-0"

PETITIONER'S EXHIBIT **1**

FILE: ROTHSTEIN RES-0026L

SCALE: NOTED	DATE: 6/2015	SHEET NO: 1 of 1
GBL CUSTOM HOME DESIGN INC. PO BOX 237 FINGERSBURG, MD 21048 PHONE 410-833-8320		



PROPOSED LEFT SIDE ELEVATION

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



PROPOSED FRONT ELEVATION

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

REMODELING & ADDITIONS TO
THE ROTHSTEIN RESIDENCE

PROJECT ADDRESS:
1204 VERBENA ROAD
BALTIMORE, MD 21204
BALTIMORE COUNTY, MD

FILE: ROTHSTEIN REMODEL

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

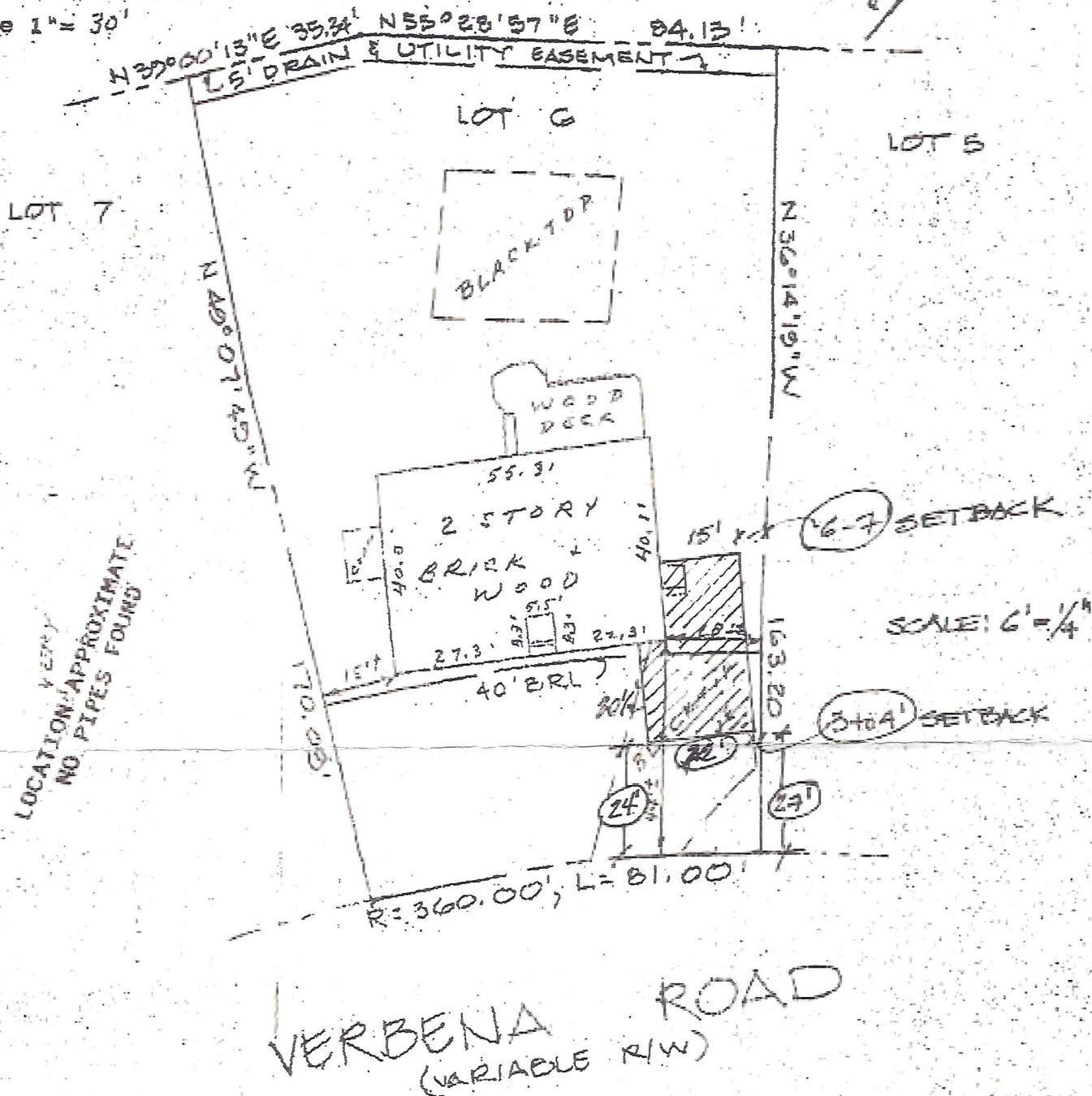
DATE: 6/20/15

SHEET NO.: 1 OF 1

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKEBURG, MD 21048
PHONE 410-833-5320

PETITIONER'S EXHIBIT 2

BH04-84-227 7209 VERBENA BALTIMORE BC 10/22/04 AD Case#AT-8811
 Fema Panel: 240010 0245E
 Flood Zone: C
 LOT 6 BLOCK G
 PLAT 2 SECTION 4 GREEN GATE
 Book: 37
 Folio: 28
 Dist: 3
 Co: BALTIMORE
 MD
 Scale 1" = 30'



EMAIL:
 SURVEYASSOCIATES@EROLS.COM

LOCATION
 MORTGAGE
 SURVEY

Accuracy: Approximate average accuracy (SD of sideline distance) for small suburban lots is two feet, and for larger lots and metes and bounds parcels varies from two to twenty feet or more. In case of doubt, we recommend a Boundary Survey.

LEGEND

Shed (unsurveyed) S
 Blacktop Drive -----
 Gravel Drive == == ==
 Concrete =====

This is an improvements Location Survey only, and must not be used for Boundary purposes. No Title Report furnished. No statement is made as to ownership of property or right or interest therein. Fences are approximate only and may not be shown. *Not to be used for construction purposes or permits of any kind whatsoever.*

SURVEY ASSOCIATES

200 GRAYS ROAD
 HARWOOD, MARYLAND 20776
 TEL 410 266 7211 FAX 410 266 0918
 FAX BALT 410 841 6150