



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 17 Rolling Road which is presently zoned DR-2

Deed References: 5297/500 10 Digit Tax Account # 0111470151

Property Owner(s) Printed Name(s) Jorts and Rico, LLC

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

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) 1B02.3.C.1 to approve side yards of 15' and 31' total in lieu of the required 15' and 40' total required

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

Mailing Address City State

Zip Code / Telephone # / Email Address

Legal Owners (Petitioners):

David G. Schiavone /

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

752 White Oaks Avenue, Catonsville, MD
Mailing Address City State

21228 / 410-804-1149 / auntiebee2388@verizon.net
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC

Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 2016-0294-A Filing Date 5/23/16

Do Not Schedule Dates: _____ Reviewer gh

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WASH. D.C. 20250

10-108 (Rev. 1-25-60)

TO: DIRECTOR, BLM

FROM: SAC, [illegible]

SUBJECT: [illegible]

RE: [illegible]

DATE: [illegible]

BY: [illegible]

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

7. [illegible]

8. [illegible]

9. [illegible]

10. [illegible]

11. [illegible]

12. [illegible]

13. [illegible]

14. [illegible]

15. [illegible]

16. [illegible]

17. [illegible]

18. [illegible]

19. [illegible]

20. [illegible]

21. [illegible]

22. [illegible]

**ZONING DESCRIPTION FOR
17 N. ROLLING ROAD
4TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the East side of Rolling Road at a distance of 90 feet south of the centerline intersection of Clifden Road and Rolling Road, thence (1) South 05 degrees 00 minutes 00 seconds West 80.00 feet, (2) South 85 degrees 00 minutes 00 seconds East 408.16 feet; (3) North 05 degrees 00 minutes 00 seconds East 180.00 feet; (4) North 85 degrees 00 minutes 00 seconds West 108.16 feet; (5) South 05 degrees 00 minutes 00 seconds West 100.00 feet; (6) North 85 degrees 00 minutes 00 seconds West 300.00 feet; to the point of beginning;

Containing a net area of 43,814 square feet, or 1.00 acres of land, more or less.

2016-0294-A

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Containing a net area of 43,814 square feet, or 1.00 acres of land, more or less.

2016-0294-A

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

No. **139277**

Date: **5/23/16**

PAID RECEIPT

BUSINESS ACTUAL TIME DEN
 5/23/2016 5/23/2016 05:13:22 .1

RID 0001 WALTON LIT
 RECEIPT # 450123 5/23/2016 DFLN

Dpt 5 529 ZEMING VERIFICATION

CL NO. 139277

Receipt for \$75.00
 \$75.00 00 4.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **Jorts and Ricco LLC**

For: **Variance for 17N Rolling Rd**
Case # 2016-0294

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: 410-560-1502
Fax 443-901-1208

June 20, 2016

Mr. Arnold Jablon
Director of Permits, Approval and Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Subject: Zoning Case 2016-0294-A
 17 N. Rolling Road

Dear Mr. Jablon:

On behalf of my client, Jorts and Rico, LLC, we wish to have the case dismissed. They have found another way to develop the property that will conform to the zoning requirements.

If you have any questions, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Rick Richardson".

Patrick C. Richardson, Jr. PE

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



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

Date: 6/1/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0294-A

Variance
David G. Schiavone
17 Rolling Road.

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 blue ink, appearing to read 'Richard Zeller'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

RE: PETITION FOR VARIANCE
17 Rolling Road; E/S Rolling Road, 90' S
of Clifden Road
1st Election & 1st Councilmanic Districts
Legal Owner(s): David G. Schiavone
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-294-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

JUN 06 2016

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 6th day of June, 2016, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

May 31, 2016

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: 2016-0294-A

17 Rolling Road
E/s Rolling Road, 90 ft. to centerline of Clifden Road
1st Election District – 1st Councilmanic District
Legal Owners: David Schiavone

Variance to approve side yards of 15 feet and 31 feet total in lieu of the required 15 feet and 40 feet total required.

Hearing: Monday, July 11, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Schiavone, 752 White Oaks Avenue, Catonsville 21228
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 21, 2016**
- (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
Tuesday, June 21, 2016 Issue - Jeffersonian

Please forward billing to:
David Schiavone
752 White Oaks Avenue
Catonsville, MD 21228

410-804-1149

NOTICE OF ZONING HEARING

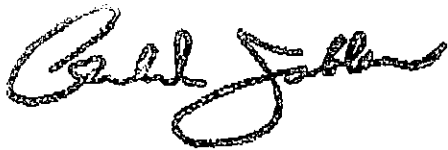
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105 West Chesapeake Avenue, Towson 21204



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

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**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/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 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: 2016 - 0294-A
Property Address: 17 N Bolling Rd
Property Description: East side of Bolling Rd
South 90 feet to E of Clifden Rd
Legal Owners (Petitioners): David Schiavone
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID SCHIAVONE
Company/Firm (if applicable): _____
Address: 752 WHITE OAKS AVE
CATONSVILLE, MD 21228
Telephone Number: 410-804-1149

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: June 16, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-294

INFORMATION:

Property Address: 17 Rolling Road
Petitioner: David G. Schiavone
Zoning: DR 2
Requested Action: Variance

RECEIVED

JUN 21 2016

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for variance to permit a side yard setback of 15' and a sum of side yards of 31' in lieu of the required 25' and 40' respectively.

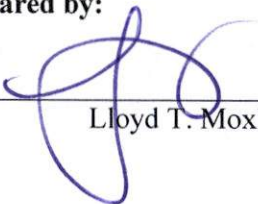
This property was the subject of prior zoning case no. 16-294 wherein a variance to the lot width requirement was petitioned for. The Department raised no objection to the requested relief due to the fact that the site plan submitted in support of the petition depicted a dwelling requiring no setback relief and was, in terms of scale, more appropriate to its setting. The Department acknowledges the Decision and Order rendered by the Administrative Law Judge in that prior case to include all conditions imposed therein.

The Department does not support granting the instant petition.

The submitted site plan depicts a dwelling much larger in scale than that previously proposed. The proposal is inconsistent with the pattern of the neighborhood in the way the structure relates to its side property lines and adjacent existing structures. As proposed, open separations between structures is considerably reduced. This condition is not evident elsewhere on the east side of North Rolling Road in this vicinity. In addition, the plan does not address Condition 3 imposed by the Administrative Law Judge (ALJ) in prior zoning case 2015-0249-A. There was no timely appeal to said condition and therefore it remains in force. The petitioner must demonstrate to the satisfaction of the ALJ that a property needing variance relief does in fact meet the criteria necessary to approve an undersized lot found in BCZR § 304.1.

For further information concerning the matters stated herein, please contact Lloyd T. Moxley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

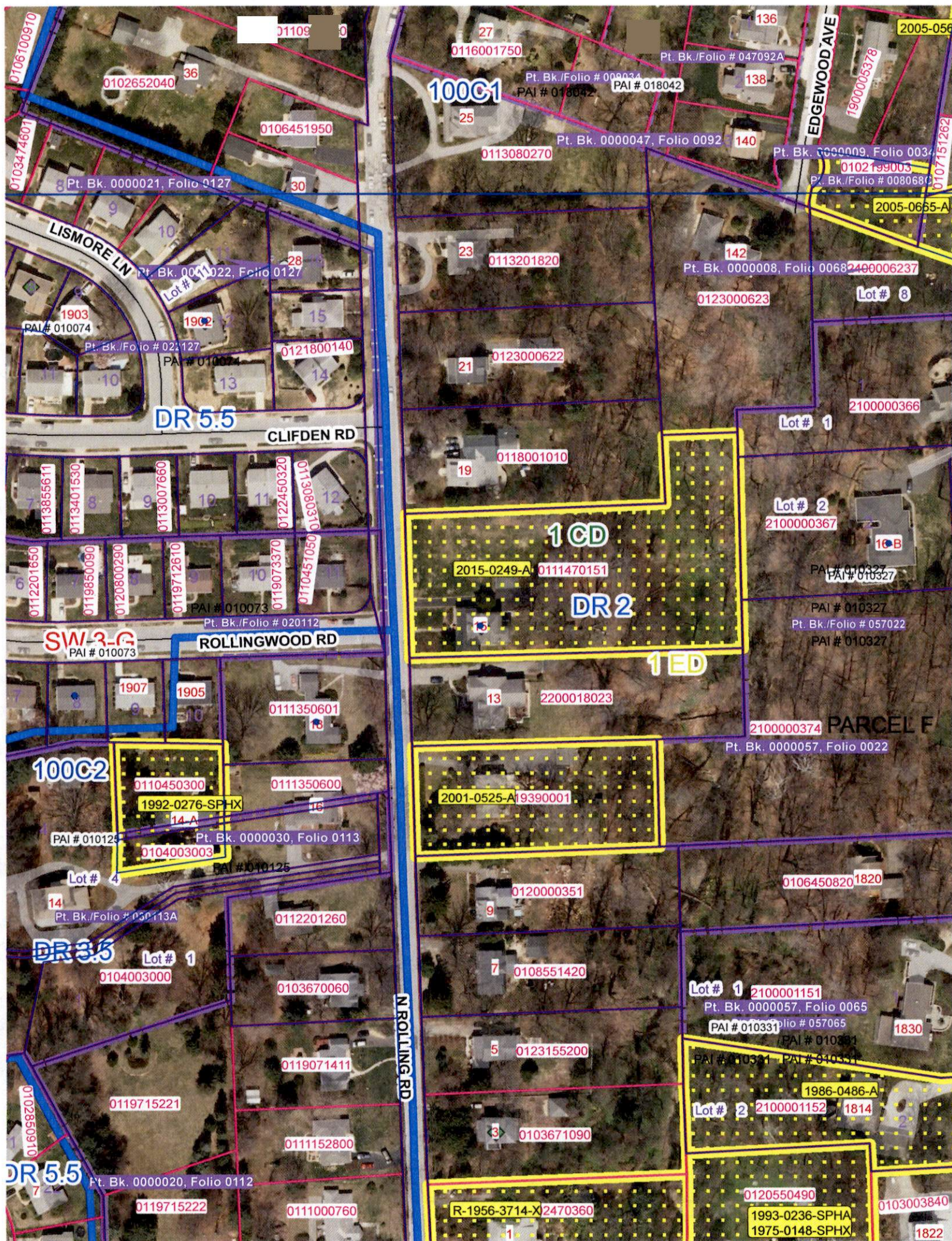
AVA/KS/LTM/ka

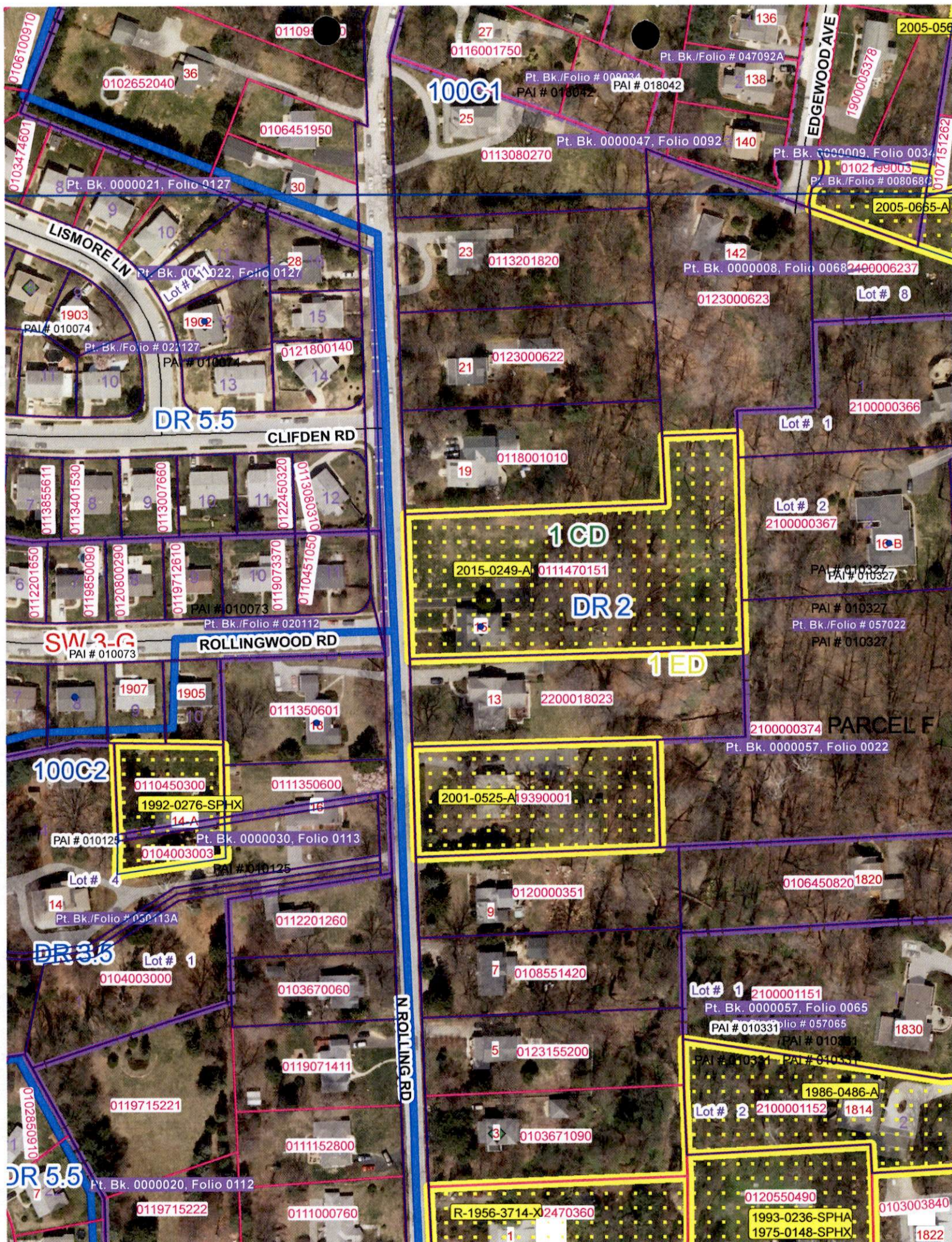
Division Chief:



Kathy Schlabach

c: Dennis Wertz
Patrick C. Richardson, Jr.
Office of the Administrative Hearings
People's Counsel for Baltimore County





2016-0294-A