

M E M O R A N D U M

DATE: August 22 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0226-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 21, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(9335 Ravenridge Road)
9th Election District
3rd Council District
Frank & Barbara Grosso
Legal Owners
Petitioners

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*
*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0226-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Frank & Barbara Grosso, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (“BCZR”): (1) to permit an accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only; and (2) to permit an amendment to the latest Final Development Plan (“FDP”) for Cromwell Woods Extension, Plat 2, Lot 51 only. A site plan was marked as Petitioners’ Exhibit 1.

Frank Grasso and Rick Brace appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). That agency did not oppose the request.

The site is approximately 21,213 square feet in size and is zoned DR 1. The property is improved with a single-family dwelling constructed in 2018. Petitioners’ rear yard contains steep slopes and a retaining wall. As such, the side yard was the only practical location for the shed.

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 must necessitate

ORDER RECEIVED FOR FILING

Date

By

7/22/19
Sen

- 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).

As noted, the lot has a significant grade change in the rear yard and thus the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be required to raze or relocate the shed. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. I believe this is especially the case here since the small shed structure is new and attractive and as shown in a photo submitted by Petitioners the shed is obscured from view by mature trees and vegetation.

The DOP suggested the shed should be at least 50 ft. from Ravenridge Road. According to the site plan the shed is 35.5' from the road, which in fact complies with the 35 ft. principal building setback shown thereon. In these circumstances I believe the current location of the shed (which is admittedly not a "principal building") is appropriate.

THEREFORE, IT IS ORDERED, this 22nd day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations: (1) to permit an accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only; and (2) to permit an amendment to the latest Final Development Plan ("FDP") for Cromwell Woods Extension, Plat 2, Lot 51 only, to reflect the relief granted herein, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

2

Date 7/22/19

By Sen

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

ORDER RECEIVED FOR FILING

Date 7/22/19

By sen



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 9335 RAVENRIDGE RD which is presently zoned DR1
 Deed References: 40362/00468 10 Digit Tax Account # 2400011225
 Property Owner(s) Printed Name(s) FRANK & BARBARA GROSSO

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a Variance from Section(s) 400.1, BCZR, to permit an existing accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only, and to permit an amendment to the latest Final Development Plan for ~~the Raven Ridge~~ Cromwell Woods Extension, Plat 2, Lot 51 only.
- 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)

SEE ATTACHED. ADDITIONAL PRESENTATION AT 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):

☒ Frank Grosso

Name #1 - Type or Print

Signature #1

9335 Ravenridge Rd. Parkville, MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

☒ Barbara Grosso

Name #2 - Type or Print

Signature #2

9335 Ravenridge Rd. Parkville, MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

RICHARD L. BRACE

Name - Type or Print

Signature

6638 COLDSTREAM DR NEW MARKET MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2019-0226-A Filing Date 2/1/19 Do Not Schedule Dates: _____ Reviewer CF

Handwritten text in Arabic script, appearing to be a list or a series of notes.

Handwritten text in Arabic script, possibly a signature or a date.

**JUSTIFICATION STATEMENT IN SUPPORT OF VARIANCES FROM THE REQUIRED
LOCATION OF A STORAGE SHED AT 9335 RAVENRIDGE RD PARKVILLE MD 21234**

CASE NUMBER: CC1817792 - Illegal accessory structure

PROPERTY TAX ID: 24-00-011225

LEGAL OWNERS: Frank and Barbara Grosso

Under the provisions of B.C.Z.R 400.1, an accessory storage structure is required to be in the rear yard of a property, behind the primary dwelling unit. Petitioner seeks a variance from the code to retain his existing accessory structure in the side yard of his lot and slightly encroaching [0.5'] into the front setback due to circumstances outlined in this statement. The improperly parked recreation vehicle also cited has been corrected to the best of the ability of the petitioner.

The petitioner was cited December 5, 2018 for the accessory structure and recreational vehicle by Code Inspection and Enforcement Officer #79 [Applicant Ex. 1]. Contacted on December 14, Inspector 79 kindly granted an extension of the filing deadline to February 5, 2019. Consultation with planning staff on January 25 illuminated several points that variances must meet.

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

- 1) It must shown the property is unique in a manner which makes it unlike surrounding properties , and that uniqueness or peculiarity must necessitate 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)

Further are noted three factors in determining whether practical difficulties existed:

- 1) Whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- 2) Whether a grant of the variance applies for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- 3) Whether relief can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Montgomery County v. Rotwein, 169 Md. App. 716, 906 A.2d 959 (2006)

The subject parcel [0.487 acres] was created subject to several setback and distance variances [Case No. 03-200-A, Appendix A] wherein was recognized the steep slopes and unusual narrow shape of the property involved limiting the developable land on which to build. These variances were granted without objection and resulted in the narrow shape and steep slopes on the subject parcel. Soils on the subject property, per County records, are noted as Manor-Bannertown sandy loams, with rocks being present and slopes ranging from 15 to 45 percent.

As to the accessory structure the petitioners placed it so as to take advantage of existing trees and shrubs for screening and to allow for the entry slope to be manageable for the access and egress of the equipment stored in the shed. The petitioners site plan [App. Ex. 2] shows the steep grade differential [8%+] between the present location of the accessory structure and its location were it required to be moved to a site behind the primary structure in accordance with the Code. A location per the Code would result in a practical difficulty as steep slopes would need to be negotiated for each time the equipment were to be used. Snow conditions would make the shed location impractical as well.

Several photos also accompany this request. In particular the shot from the accessory structure looking toward the Petitioner's home [App. Ex. 3a]. The rear property line of the parcel is NOT visible in this shot as it falls away precipitously and represents the steep grade of the lot. Another shot [App. Ex. 3b] is taken standing at the retaining wall angle just south of the sun room attached to the primary structure and shows in more detail the existing steep slope, as well as the shed and the roofline of a home on a confronting lot. Other photos show the legal non-conforming garage on a confronting lot and the subject shed [3c], the sewer line between Lot 51 and 52 and the subject shed [3d], more slope detail [3e] and [3f]. Lots confronting the subject parcel are more rectangular in shape and exhibit a gentler slope for the area and exemplify typical lots in the neighborhood where no variance was required.

For these reasons and facts we respectfully request variances be granted to allow the storage shed be permitted in the side yard and slightly forward of the front setback line and inside the existing treeline.

 2/1/19
Frank Grosso/date

C: 410-371-6837

email: fybls@comcast.net

 2/1/2019
Barbara Grosso/date

Part A ZONING PROPERTY DESCRIPTION FOR 9335 Ravenridge Road

Beginning at a point on the east side of Ravenridge Road which is 40 feet wide at a distance of 2,350 +/- north of the centerline of the nearest improved intersecting street [Satyr Hill Road] which is 40 feet wide.

Part B

BEING KNOWN AND DESIGNATED AS Lot No. 51, Cromwell Woods Extension Plat 2, according to the plat thereof recorded in Plat Book SM No. 76, folio 109, and as amended by Cromwell Woods Extension First Amended Plat of Plat 3, recorded in Plat Book SM No. 78, folio 87, Land Records of Baltimore County, Maryland.

EX2 PG6
2019-0226-A

CERTIFICATE OF POSTING

CASE NO. 2019-0226-4

PETITIONER/DEVELOPER

FRANK DALLA

080950

DATE OF HEARING/CLOSING

7/9/19

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

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

9335 RIVERDALE ROAD

SEAFR 1

THIS SIGN(S) POSTED ON

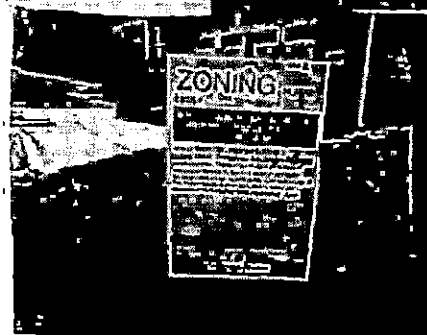
June 20, 2019 July 9, 2019
(MONTH, DAY, YEAR)

SINCERELY,

[Signature]
SIGNATURE OF SIGN POSTER

MARTIN OGLE

2912 MAIDENBROOK ROAD
PARKVILLE, MD 21234
410-629-3411



[Signature] 7/9/19

Sent from my iPhone

JB 7-19-19
10 AM

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Wednesday, July 17, 2019 10:07 AM
To: Administrative Hearings
Subject: 2019-0226-A

CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-0226-A
PETITIONER/DEVELOPER
FRANK & BARBARA
GROSSO
DATE OF HEARING/CLOSING
7/19/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMEN:
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT 9335 RAVENWIDGE ROAD SIGN # 2

THIS SIGN(S) POSTED ON June 20, 2019 July 16, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 6/26/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBRIXOK ROAD
PARKVILLE, MD 21234
443-629-3411

ZONING

7/16/19

RE: PETITION FOR VARIANCE
9335 Ravenridge Road; E/S Ravenridge
Road, 2350' N Satyr Hill Road
9th Election & 3rd Councilmanic Districts
Legal Owner(s): Frank & Barbara Grosso
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-226-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

FEB 22 2019

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 22nd day of February, 2019, a copy of the foregoing Entry of Appearance was mailed to Richard Brace, 6638 Coldstream Drive, New Market, Maryland 21774, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: THE DAILY RECORD
Friday, March 22, 2019 - Issue

Please forward billing to:
Frank Grosso
9335 Ravenridge Road
Parkville, MD 21234

410-371-6837

NOTICE OF ZONING HEARING

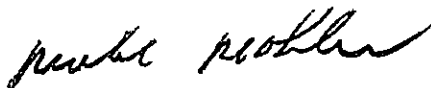
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0226-A

9335 Ravenridge Road
East side of Ravenridge Road, north of Satyr Hill Road
9th Election District – 3rd Councilmanic District
Legal Owners: Frank & Barbara Grosso

Variance to permit an existing accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only, and to permit an amendment to the latest Final Development P

Hearing: Thursday, April 11, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
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.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

March 8, 2019

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: 2019-0226-A

9335 Ravenridge Road
East side of Ravenridge Road, north of Satyr Hill Road
9th Election District – 3rd Councilmanic District
Legal Owners: Frank & Barbara Grosso

Variance to permit an existing accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only, and to permit an amendment to the latest Final Development P

Hearing: Thursday, April 11, 2019 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 "Mike Mohler", is written over the printed name and title.

Mike Mohler
Director

MM:kl

C: Mr. & Mrs. Grosso, 9335 Ravenridge Road, Parkville MD 21234
Richard Brace, 6638 Coldstream Drive, New Market MD 21774

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 22, 2019.**
- (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.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

May 31, 2019

NEW 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: 2019-0226-A

9335 Ravenridge Road

East side of Ravenridge Road, north of Satyr Hill Road

9th Election District – 3rd Councilmanic District

Legal Owners: Frank & Barbara Grosso

Variance to permit an existing accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only, and to permit an amendment to the latest Final Development P

Hearing: Friday, July 19, 2019 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 "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Grosso, 9335 Ravenridge Road, Parkville MD 21234
Richard Brace, 6638 Coldstream Drive, New Market MD 21774

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 29, 2019.**
- (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: THE DAILY RECORD
Friday, June 28, 2019 - Issue

Please forward billing to:
Frank Grosso
9335 Ravenridge Road
Parkville, MD 21234

410-371-6837

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: 2019-0226-A

9335 Ravenridge Road
East side of Ravenridge Road, north of Satyr Hill Road
9th Election District – 3rd Councilmanic District
Legal Owners: Frank & Barbara Grosso

Variance to permit an existing accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only, and to permit an amendment to the latest Final Development P

Hearing: Friday, July 19, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
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.

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

6/28/2019

Order #: 11714811
Case #: 2019-0226-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0226-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0226-A

9335 Ravenridge Road

East side of Ravenridge Road, north of Satyr Hill Road

9th Election District - 3rd Councilmanic District

Legal Owners: Frank & Barbara Grosso

Variance to permit an existing accessory building (shed) to be located in the side yard in lieu of the permitted rear yard only, and to permit an amendment to the latest Final Development P

Hearing: Friday, July 19, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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.

je28

CERTIFICATE OF POSTING

CASE NO. 2019-0226-A

PETITIONER/DEVELOPER

FRANK & BARBARA
GROSSO

DATE OF HEARING/CLOSING

7/9/19

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

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

9335 RAVENRIDGE ROAD
516A#2

THIS SIGN(S) POSTED ON June 26, 2019
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 6/26/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

SIGN 2

ZONING NOTICE

CASE # 2019-0226-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave., Towson MD 21204

DATE AND TIME: FRIDAY, JULY 19, 2019 AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT AN EXISTING ACCESSORY
BUILDING (SHED) TO BE LOCATED IN THE SIDE YARD IN LIAISON
OF THE PERMITTED REAR SEED BOX, AND TO PERMIT AN
AMENDMENT TO THE LATEST FINAL DEVELOPMENT PLAN.

FOR INFORMATION OF THE PUBLIC, A PUBLIC HEARING WILL BE HELD ON THE ABOVE NAMED CASE AT THE
TOWSON CITY CLERK'S OFFICE, 105 W. CHESAPEAKE AVE., TOWSON, MD 21204, ON FRIDAY, JULY 19, 2019, AT 10:00 A.M.

THE PUBLIC IS INVITED TO ATTEND THE HEARING AND TO BE HEARD. THE PUBLIC IS REQUESTED TO
CONTACT THE TOWSON CITY CLERK'S OFFICE AT (410) 281-1000 FOR MORE INFORMATION.

HANDICAPPED ACCESSIBLE

mgahugh 6/26/19

CERTIFICATE OF POSTING

CASE NO. 2019-0226-A

PETITIONER/DEVELOPER

FRANK & BARBARA
GROSSO

DATE OF HEARING/CLOSING

7/19/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

9335 RAVENRIDGE ROAD

SIGN # 1

THIS SIGN(S) POSTED ON

June 26, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 6/26/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

CASE # 2019-0226-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building
108 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: FRIDAY, JULY 19, 2019 AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT AN EXISTING ACCESSORY
BUILDING (SHED) TO BE LOCATED IN THE SIDE YARD IN LIEU OF
THE PERMITTED REAR YARD ONLY, AND TO PERMIT AN
AMENDMENT TO THE LATEST FINAL DEVELOPMENT PLAN.

PLATES AND SIGNS ARE SUBJECT TO THE CITY'S DESIGN STANDARDS AND SPECIFICATIONS. ANY VIOLATION OF THESE STANDARDS SHALL BE SUBJECT TO A FINE OF \$100 PER VIOLATION.

DO NOT TO SCALE THESE SIGNS AND PLATES. ANY VIOLATION OF THESE STANDARDS SHALL BE SUBJECT TO A FINE OF \$100 PER VIOLATION.

HANDICAPPED ACCESSIBLE

mycubicle 6/26/19



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

July 12, 2019

Richard L. Brace
6638 Coldstream Drive
New Market MD 21774

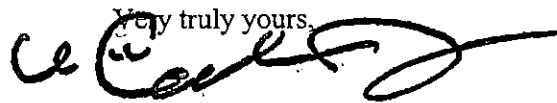
RE: Case Number: 2019-0226-A, 9335 Raven Ridge Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 2, 2019. 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,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Frank Grosso Barbara Grosso 9335 Raven Ridge Road Parkville MD 21234

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 3/12/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-225

INFORMATION:

Property Address: 912 Frog Mortar Road

Petitioner: Richard Huber

Zoning: DR 3.5

Requested Action: Variance

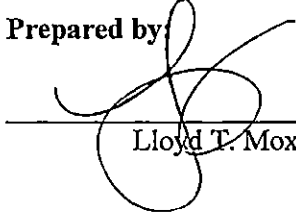
The Department of Planning has reviewed the petition for variance to permit a proposed single family dwelling with a side yard of 7' and a sum of side yards of 14' on a lot having a width of 50' in lieu of the required 10', 25' and 50' respectively.

A site visit was conducted on February 26, 2019.

The Department of Planning has no objections to granting the petitioned zoning relief.

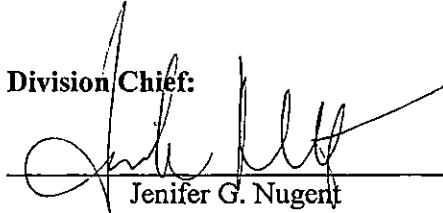
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Krystle Patchak
William N. Bafitis, P.E.
Office of the Administrative Hearings
People's Counsel for Baltimore County

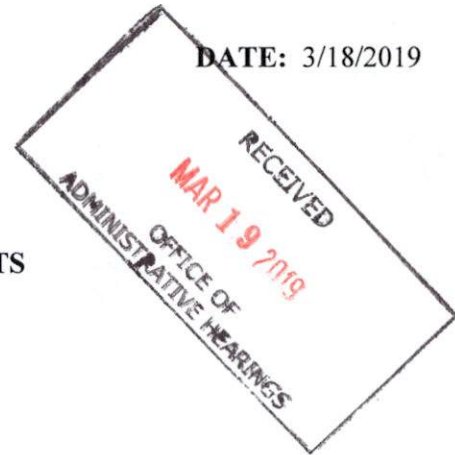
(PP) 4-4-19
7-19

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-226



INFORMATION:

Property Address: 9335 Ravenridge Road
Petitioner: Frank Grosso, Barbara Grosso
Zoning: DR 1
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit an existing accessory structure to be located in the side yard in lieu of the permitted rear yard only and to permit an amendment to the final development plan for Cromwell Woods Extension, plat 2, Lot 51.

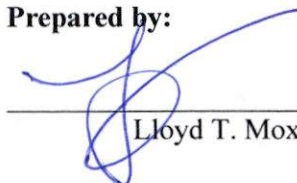
A site visit was conducted on 3/11/2019. The property is the subject of violation case no. CC1817792.

The Department supports granting zoning variance relief but only on specific condition that no part of the structure be located less than 50' from the front property line.

By definition an accessory structure shall be subordinate to the principal structure it is accessory to. The location of the shed in such close proximity to the public right of way elevates the structure to equal status relative to the dwelling, and as importantly, other principal dwellings along Ravenridge Road. The layout is not consistent with the design guidelines found in the Comprehensive Manual of Development Policies as it is disruptive of the development pattern within this newer residential neighborhood.

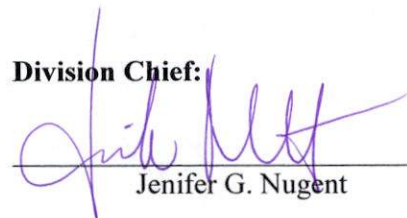
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Laurie Hay
Richard L. Brace
Office of the Administrative Hearings
People's Counsel for Baltimore County

4-11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: March 11, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0226-A
Address 9335 Ravenridge Road
(Grosso Property)

Zoning Advisory Committee Meeting of **February 25, 2019**.

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

Reviewer: Steve Ford

Date: 2/25/19

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

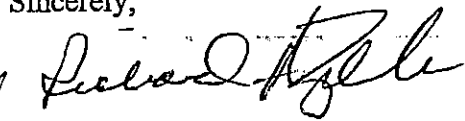
Dear Ms. Lewis:

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. 2019-0226-A

*Variance
Frank & Barbara Grosso
9335 Ravenridge 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,

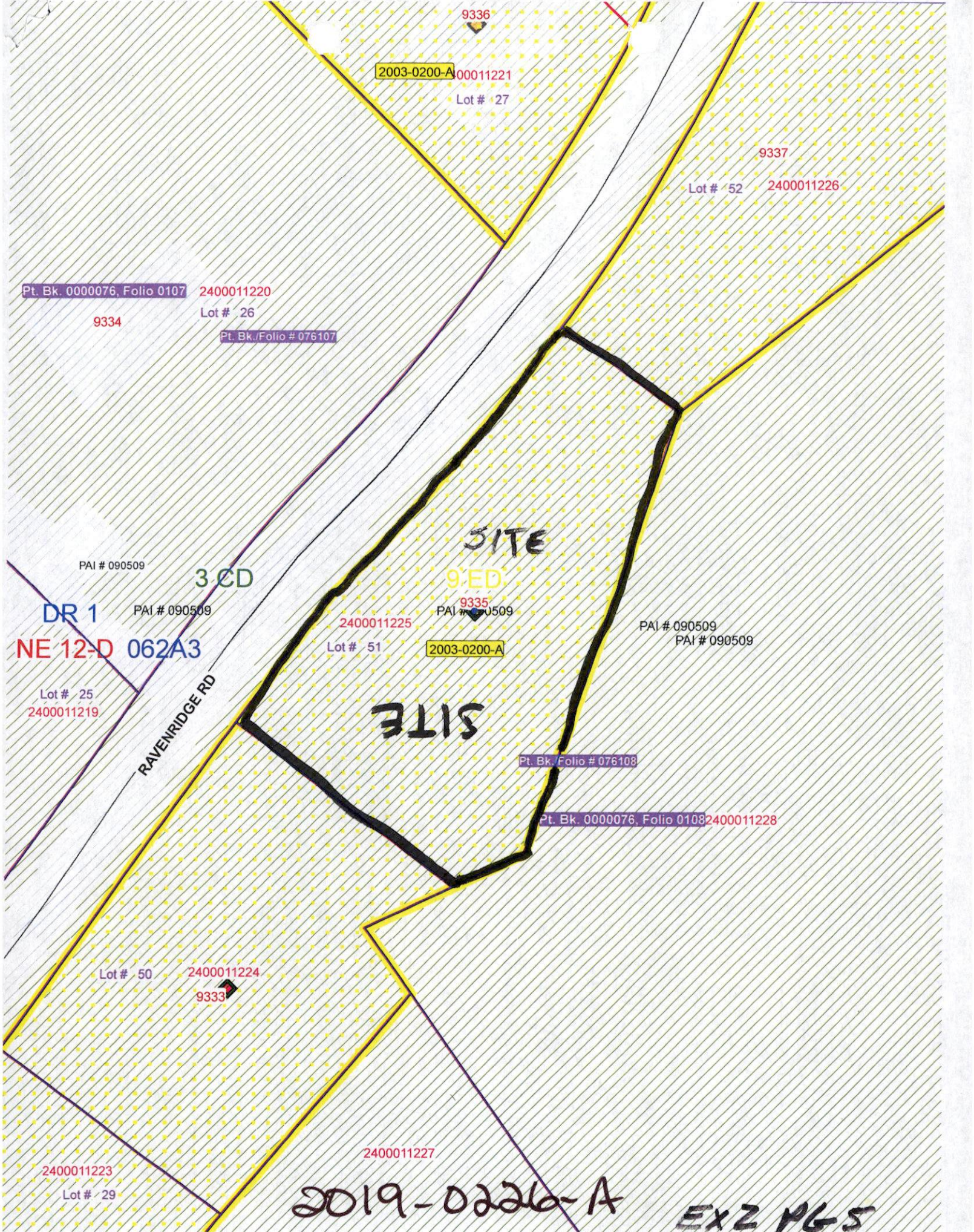


Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

CASE NAME GROSSO
CASE NUMBER 2019-226-A
DATE 19 JUL 19

[illegible]



2019-0226-A

EX2 PLS

4

A-01660-P106

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

3/11

DEPS

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

N/C

FIRE DEPARTMENT

PLANNING

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

3/18

NO OBJ
w/ comment

2/25

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

6/28/19

SIGN POSTING (1st)

Date:

6/28/19

by

Ogle

SIGN POSTING (2nd)

Date:

7/16/19

by

Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 09 Account Number - 2400011225			
Owner Information					
Owner Name:		GROSSO FRANK GROSSO BARBARA		Use:	RESIDENTIAL
Mailing Address:		9335 RAVENRIDGE RD PARKVILLE MD 21234-1453		Principal Residence:	YES
				Deed Reference:	/40362/ 00468
Location & Structure Information					
Premises Address:		9335 RAVENRIDGE RD PARKVILLE 21234-1453		Legal Description:	.487 AC 9335 RAVENRIDGE RD SS CROMWELL WOODS EXTENSION
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0062	0020	0280		0000	51
				Assessment Year:	Plat No:
				2017	0076/ 0108
Special Tax Areas:		Town: NONE			
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
2018	3,165 SF	1500 SF	21,213 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2017	As of 07/01/2018	As of 07/01/2019
Land:		157,300	157,300		
Improvements		347,300	428,800		
Total:		504,600	586,100	558,933	586,100
Preferential Land:		0			0
Transfer Information					
Seller: CALATLANTIC GROUP INC		Date: 06/15/2018		Price: \$731,714	
Type: ARMS LENGTH IMPROVED		Deed1: /40362/ 00468		Deed2:	
Seller: CUB HILL ROAD LIMITED PARTNERSHIP		Date: 04/11/2016		Price: \$500,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /37377/ 00026		Deed2:	
Seller: PECORA MICHEL		Date: 08/17/2012		Price: \$200,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /32431/ 00304		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			

Homestead Application Information

Homestead Application Status: Approved 07/24/2018

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Case No.: 2019-226-A

Exhibit Sheet

Petitioner/Developer

8-22-19

Protestant

slu
4-22-19

No. 1	Site plan	
No. 2	Plat + SDAT record	
No. 3	3A-3F Site photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

(2-6)

5

51

52)

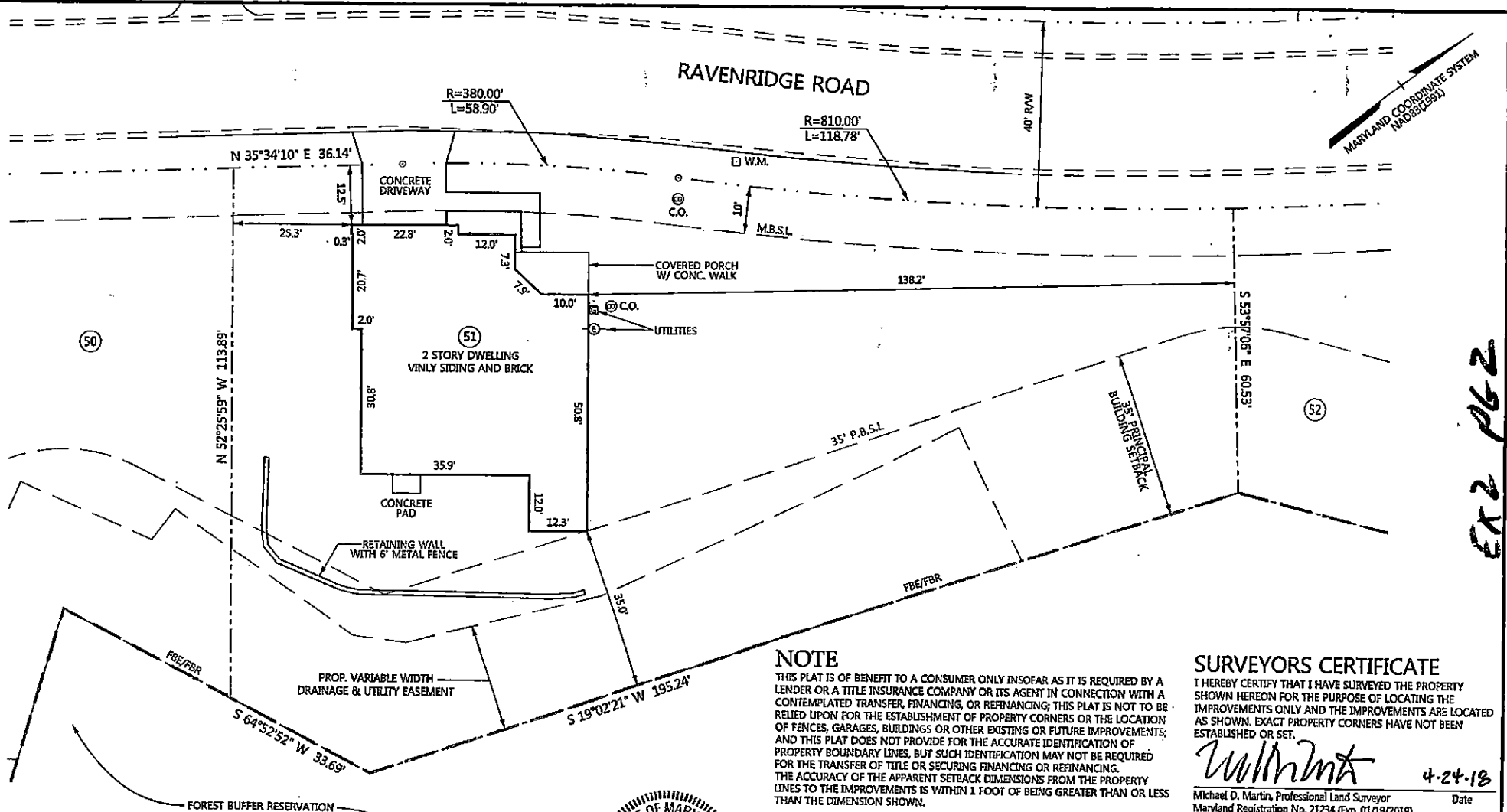
VICINITY MAP

SATYR HILL RD

RAVENRIDGE RD

NOT TO SCALE

2019-0226-A



NOTE

THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH A CONTEMPLATED TRANSFER, FINANCING, OR REFINANCING; THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF PROPERTY CORNERS OR THE LOCATION OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING OR FUTURE IMPROVEMENTS; AND THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THE ACCURACY OF THE APPARENT SETBACK DIMENSIONS FROM THE PROPERTY LINES TO THE IMPROVEMENTS IS WITHIN 1 FOOT OF BEING GREATER THAN OR LESS THAN THE DIMENSION SHOWN.

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS ONLY AND THE IMPROVEMENTS ARE LOCATED AS SHOWN. EXACT PROPERTY CORNERS HAVE NOT BEEN ESTABLISHED OR SET.

Michael D. Martin

4-24-18

Michael D. Martin, Professional Land Surveyor
Maryland Registration No. 21234 (Exp. 01/19/2019)

Date



FINAL LOCATION - LOT 51
LOT AREA = 0.487 AC+/-

LOCH RAVEN VISTA

#9335 RAVENRIDGE ROAD
TAX MAP 62 - PARCEL 280
PLAT REF: 76-108



DAFT MCCUNE WALKER INC

Job No. 91078.FS | Scale: 1"=20' | Date: 4-24-2018 | Drawn: MTS

501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286
P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM

2019-0226-A

PETS-EX 2

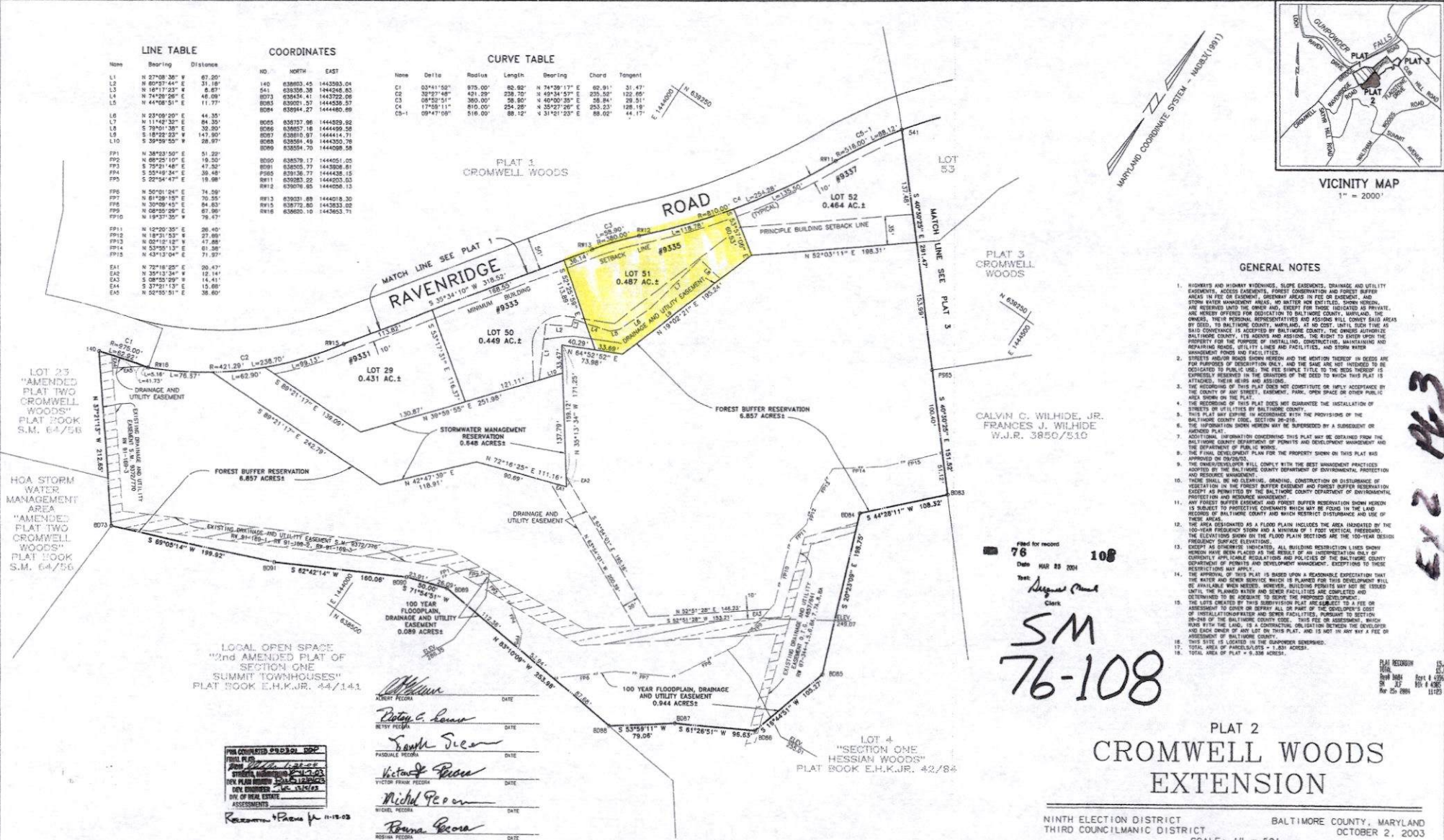
EX 2 PL 2

CURVE TABLE

Name	Delta	Radius	Length
C1	03°41'52"	875.00'	1
C2	32°27'48"	421.29'	2
C3	08°52'51"	350.00'	2
C4	17°58'11"	810.00'	2
C5-1	09°47'08"	516.00'	1

CURVE TABLE

	Length	Bearing	Chord	Tangent
30°	62.92'	N 74°39'17" E	62.91'	31.45'
30°	238.70'	N 49°34'57" E	235.52'	122.65'
30°	58.80'	N 40°00'35" E	58.84'	29.55'
30°	254.28'	N 35°27'26" E	253.23'	128.13'
30°	88.12'	S 31°21'23" E	88.02'	44.15'



GENERAL NOTES

- [illegible]

CALVIN C. WILHIDE, JR.
FRANCES J. WILHIDE
W.J.R. 3850/510

Filed for record
76 108
Date MAR 23 2004
Test: *[Signature]*
Clark

SM
76-108

PLAT 2
CROMWELL WOODS
EXTENSION

NINTH ELECTION DISTRICT
THIRD COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND
OCTOBER 2, 2003

SCALE: 1" = 50'

APPROVED: Thomas L. Johnson, Deputy 1/24/04
DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL PROTECTION DATE
AND RESOURCE MANAGEMENT

APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT
PURSUANT TO SECTION 20-213(c), BALTIMORE COUNTY CODE

Donald T. Rouse 3-24-04
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT DATE

ROADS AND UTILITIES, FOR WHICH EASEMENTS ARE LAID OUT AND SHOWN HEREON, HAVE BEEN DESIGNED UNDER THE DIRECT SUPERVISION OF JOHN RANDOLPH, MARYLAND REGISTERED PROFESSIONAL ENGINEER LICENSE NO. 10551.

[illegible]

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-106 OF THIS REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAVE BEEN COMPLIED WITH, INsofar AS SAME CONCERN THE MAKING OF THIS PLAT AND SETTING OF THE MARKERS.

SEE SIGNATURE BLOCK ABOVE

SURVEYOR'S CERTIFICATE	
THE UNDERSIGNED, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR AND PREPARED THIS CERTIFICATE THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT, AND THE PLAT THEREOF HAS BEEN PREPARED, IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-106 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERNS THE LAYING OF THE PLAT AND SETTING OF THE MARKERS.	
<i>Anthony J. Witte</i>	11/6/03
ANTHONY J. WITTE	DATE



DMW
Daft · McCune · Walker, Inc.
*A Team of Land Planners,
 Landscape Architects,
 Engineers, Surveyors &
 Environmental Professionals*

200 East Pennsylvania Avenue
 Stearns, Maryland 21155
 410 296
 Fax 296

2019-0226-A

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 09 Account Number - 2400011225			
Owner Information					
Owner Name:	GROSSO FRANK GROSSO BARBARA		Use:	RESIDENTIAL	
			Principal Residence:	YES	
Mailing Address:	9335 RAVENRIDGE RD PARKVILLE MD 21234-1453		Deed Reference:	/40362/ 00468	
Location & Structure Information					
Premises Address:		9335 RAVENRIDGE RD PARKVILLE 21234-1453		Legal Description:	.487 AC 9335 RAVENRIDGE RD SS CROMWELL WOODS EXTENSION
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0062	0020	0280		0000	51
				Assessment Year:	Plat No:
				2017	2
				Plat Ref:	0076/ 0108
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
2018	3,165 SF	1500 SF	21,213 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2017	07/01/2018	07/01/2019
Land:		157,300	157,300		
Improvements		347,300	428,800		
Total:		504,600	586,100	558,933	586,100
Preferential Land:		0			0
Transfer Information					
Seller: CALATLANTIC GROUP INC		Date: 06/15/2018		Price: \$731,714	
Type: ARMS LENGTH IMPROVED		Deed1: /40362/ 00468		Deed2:	
Seller: CUB HILL ROAD LIMITED PARTNERSHIP		Date: 04/11/2016		Price: \$500,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /37377/ 00026		Deed2:	
Seller: PECORA MICHEL		Date: 08/17/2012		Price: \$200,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /32431/ 00304		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			

EX2 PG 4



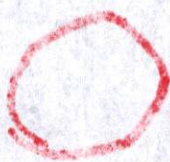
32





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2019-0226-A

0856-0856-4

25



0226-A

A-0660-P106



25



2019-0226-A

A-4660-P106

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22



9-5560-2108



2019-0226-A

A-2550-91020

2019-0226-A

3f



81218-0889-1



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

No. **178982**

Date: **2-1-19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 2/04/2019 2/01/2019 10:38:36 5

REF USED WALKIN LRB
 >>RECEIPT 993844 2/01/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 Amount 17882

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
01	806	0000		6150				75.00

Total: **75.00**

Rec From: **9335 Raven Ridge Rd**

For: **Var. are # 2019-0226-A**
Frank Grosso Barbara Grosso

Receipt Tot 75.00
 100.00 CA
 5.00 CG
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

Kristen L Lewis

From: Frank Grosso <fgbls@comcast.net>
Sent: Friday, March 15, 2019 8:30 AM
To: Kristen L Lewis
Subject: Hearing Date Case number:2019-0226-A

Dear Ms. Lewis,

Per our telephone conversation yesterday I am requesting a change fo my hearing since my representative will not be available on 4/11.

Thank you,

Frank Grosso

9335 Ravenridge Rd.

Parkville, Md 21234

410-371-6837

Sent from my iPad

Permits, Approvals, and Inspections
 Code Inspections & Enforcement
 County Office Building, Rm. 213
 111 West Chesapeake Ave
 Towson, Maryland 21204
 www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement 410-887-3351
 Electrical Inspection 410-887-3980
 Plumbing Inspection 410-887-3620
 Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

GROSSO FRANK GROSSO BARBARA
 9335 RAVENRIDGE RD
 PARKVILLE, MD 21234-1453

CASE NUMBER CC1817792	PROP.TAX ID 24-00-011225
VIOLATION ADDRESS 9335 RAVENRIDGE RD PARKVILLE, MD 21234	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 400: Illegal accessory structure	Accessory structure/shed is required to be in the rear yard of the property. Relocate the shed, remove the shed, or file for a variance to allow the shed in the side yard.
B.C.Z.R 415A: Improperly parked recreation vehicle	RVs/jet skis on the trailer are required to be parked in the side or rear yard at least 8 feet behind the front foundation line of the dwelling and at least 2 1/2 feet from the side and rear property line.

Failure to comply with this correction notice, may result in a **\$200.00** fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 01/05/2019	INSPECTOR ID: 79
	ISSUED DATE: 12/05/2018

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- It is important that you read this document carefully, as it charges you with the commission of a crime.
- If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
- If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
- A lawyer can give important assistance to you:
 - on how to correct the violation(s) in order to avoid trial or
 - at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
- A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
- It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
- Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

[illegible][illegible]

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204

www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement	410-887-3351
Electrical Inspection	410-887-3960
Plumbing Inspection	410-887-3620
Building Inspection	410-887-3953

CODE ENFORCEMENT & INSPECTION CITATION

GROSSO FRANK GROSSO BARBARA
9335 RAVENRIDGE RD
PARKVILLE, MD 21234-1453

CASE NUMBER CC1817792	PROP.TAX ID 24-00-011225
VIOLATION ADDRESS 9335 RAVENRIDGE RD PARKVILLE, MD 21234	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 400: Illegal accessory structure	Failure to relocate the shed, failure to remove the shed, or failure to file for a hearing to allow the shed.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$1500

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 106 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 01/23/2019 TIME: 09:00 A.M.

*****IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.*****

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Badge Number 79		Issued Date 01/10/2019
-------------------------------------	--	----------------------------------

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
NW/S of Cub Hill Road, 1000' SE	*	DEPUTY ZONING COMMISSIONER
of Cromwell Bridge Road	*	
9th Election District	*	OF BALTIMORE COUNTY
6th Councilmanic District	*	
(NW/S Cub Hill Road, 100' SE	*	CASE NO. 03-200-A
of Cromwell Bridge Road)	*	
 Cub Hill Road Ltd. Partnership	*	
<i>Petitioner</i>		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, the Cub Hill Road Ltd. Partnership. The variance request involves property located on the northwest side of Cub Hill Road, 100 ft. southeast of Cromwell Bridge Road. The subject property is split-zoned D.R.1 and D.R.2. The variance request is as follows:

1. From Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Bill 100, 1970) and Section V.B.6.b of the Comprehensive Manual of Development Policies (CMDP), to permit a minimum distance of 7 ft. from dwelling unit window to property line in lieu of the required 15 ft. for Lot Nos. 27 through 29 and 50 through 63.
2. From Section 504 (Bill 100, 1970) and Section V.B.6.a. of the CMDP, to permit a minimum distance of 10 ft. from dwelling unit window to street right-of-way in lieu of the required 25 ft. for Lot Nos. 27 through 29 and 50 through 59.
3. From Section 1B01.2.C.2.b and 504 (Bill 100, 1970) and Section V.B.6.c of the CMDP, to permit a minimum distance of 14 ft. between facing windows of different dwelling units on the same subdivision in lieu of the required 40 ft. for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53, and 29 and 50; and
4. From Sections 1B01.2.C.6 and 504 (Bill 100, 1970) and Section V.B.3.b of the CMDP, to permit a minimum horizontal distance of 14 ft. between buildings 25 to 30 ft. in height in lieu of the required 30 ft. for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53, and 29 and 50.

10/11/02
 R. J. [Signature]

Appearing at the hearing on behalf of the variance request were Charles Main, II and Mitch Kellman, representing Daft, McCune & Walker, the engineering firm who prepared the site plan of the property, Ron Schafel and David Altfeld, appearing on behalf of the developer of the site and David Karceski, attorney at law, representing the Petitioner. Appearing as an interested citizen in the matter was Ruth Baisden, representing the Greater Parkville Community Council. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, is an extension of a previous CRG approved plan known as "Cromwell Woods". That project received approval in 1987. At this time, the property owner is interested in approving 20 new additional single-family residential lots, which are to be constructed adjacent to the existing community known as "Cromwell Woods". The subject site is located on the southeast side of Cromwell Bridge Road and takes access from Raven Ridge Road. The developers herein propose to extend Raven Ridge Road in the fashion depicted on Petitioner's Exhibit 1A, 1B and 1C, the site plan submitted into evidence.

At issue in the case are two parcels of property, one of which will contain nine (9) single-family residential lots and the other eleven (11) single-family residential lots. The land to be developed sits on top of a ridge that runs parallel to Cromwell Bridge Road. There are steep slopes located on either side of the area to be developed. This affords this developer only a narrow strip of developable land flat enough to construct homes thereon. In order to proceed with the development of the property as proposed on Petitioner's Exhibit Nos. 1A, 1B and 1C, the variances previously mentioned are necessary.

It is important to note that the Developer of the property met with and entered into an agreement with representatives of the Cromwell Woods community. Submitted into evidence, as

Petitioner's Exhibit No. 2 is a written agreement between this Developer and the Cromwell Woods Association Inc. This Developer has agreed to perform certain improvements to the existing Cromwell Woods community and has agreed to certain terms and conditions regarding the new homes to be constructed on the property to be developed. The obligations of the Developer are more specifically recited in the agreement, which was accepted into evidence as Petitioner's Exhibit No. 2.

As sated previously, Ms. Ruth Baisden appeared at the hearing on behalf of the Greater Parkville Community Council. Ms. Baisden had no objection to the development of the property consistent with the site plan submitted into evidence and the Development Agreement entered into with the adjacent community association.

Based on the testimony and evidence offered at the hearing, I find that the variance relief should be granted to allow the development to proceed as proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been

established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

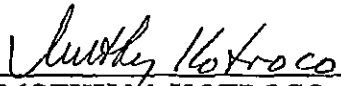
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 11th day of December, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance as follows:

1. From Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Bill 100, 1970) and Section V.B.6.b of the Comprehensive Manual of Development Policies (CMDP), to permit a minimum distance of 7 ft. from dwelling unit window to property line in lieu of the required 15 ft. for Lot Nos. 27 through 29 and 50 through 63.
2. From Section 504 (Bill 100, 1970) and Section V.B.6.a. of the CMDP, to permit a minimum distance of 10 ft. from dwelling unit window to street right-of-way in lieu of the required 25 ft. for Lot Nos. 27 through 29 and 50 through 59.
3. From Section 1B01.2.C.2.b and 504 (Bill 100, 1970) and Section V.B.6.c of the CMDP, to permit a minimum distance of 14 ft. between facing windows of different dwelling units on the same subdivision in lieu of the required 40 ft. for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53, and 29 and 50; and
4. From Sections 1B01.2.C.6 and 504 (Bill 100, 1970) and Section V.B.3.b of the CMDP, to permit a minimum horizontal distance of 14 ft. between buildings 25 to 30 ft. in height in lieu of the required 30 ft. for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53, and 29 and 50.

be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Developer shall be required to comply with the conditions of the agreement entered into with the Cromwell Woods Association Inc., said agreement being entered into evidence as Petitioner's Exhibit No. 2.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

December 11, 2002

David Karceski, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 03-200-A
Property: NW/S Cub Hill Road,
100' SE of Cromwell Bridge Road

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Ronald Schaffel
David Altfeld
111 S. Calvert Street, Suite 2820
Baltimore, MD 21202

Mitch Kellman
Charles Main II
Daft, McCune & Walker
200 E. Pennsylvania Avenue
Towson, MD 21204

Ruth Baisden
c/o Greater Parkville Community Council
7706 Oak Avenue
Baltimore, MD 21234



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at N/W side of Cub Hill Road,
1000' S/E of Cromwell Bridge Road
which is presently zoned D.R.1 and D.R.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attached.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Cub Hill Road Limited Partnership
Cub Hill, Inc., General Partner

Name - Type or Print

Signature By: Ronald O. Schaffel, President

Name - Type or Print

Signature Suite 2820

111 S. Calvert Street (410) 347-4800

Address

Telephone No.

Baltimore, Maryland

21202

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF Date 10/25/02

Case No. 03-200-A

12/11/02
12/15/98

PETITION FOR VARIANCE

1. Variance from Section 504 of the Baltimore County Zoning Regulations ("BCZR") (Bill 100, 1970) and Section V.B.6.b of the Comprehensive Manual of Development Policies ("CMDP") to permit a minimum distance of 7 feet from dwelling unit window to property line in lieu of the required 15 feet for Lot Nos. 27 through 29 and 50 through 63.
2. Variance from BCZR Section 504 (Bill 100, 1970) and Section V.B.6.a of the CMDP to permit a minimum distance of 10 feet from dwelling unit window to street right-of-way in lieu of the required 25 feet for Lot Nos. 27 through 29 and 50 through 59.
3. Variance from BCZR Sections 1B01.2.C.2.b and 504 (Bill 100, 1970) and Section V.B.6.c of the CMDP to permit a minimum distance of 14 feet between facing windows of different dwelling units on the same subdivision in lieu of the required 40 feet for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53 and 29 and 50.
4. Variance from BCZR Sections 1B01.2.C.6 and 504 (Bill 100, 1970) and Section V.B.3.b of the CMDP to permit a minimum horizontal distance of 14 feet between buildings 25 to 30 feet in height in lieu of the required 30 feet for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53 and 29 and 50.



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Golf Course Architects,
Engineers, Surveyors &
Environmental Professionals

Description
To Accompany Petition for Zoning Variance
35.24 Acre Parcel
Northwest Side of Cub Hill Road
Southeast of Cromwell Bridge Road
Ninth Election District, Baltimore County, Maryland

Beginning for the same at the point at the end of the following course and distance measured from the intersection of the centerline of Cromwell Bridge Road with the centerline of Cub Hill Road, (1) Southeasterly and southwesterly along the centerline of Cub Hill Road, 1,000 feet, more or less, thence binding on the centerline of said Cub Hill Road, the three following courses and distances, viz: (1) South 39 degrees 22 minutes 33 seconds West 18.90 feet, thence (2) South 26 degrees 52 minutes 33 seconds West 145.20 feet, and thence (3) South 07 degrees 55 minutes 03 seconds West 112.82 feet, thence leaving Cub Hill Road and running for the following thirty-one courses and distances, viz: (4) North 79 degrees 22 minutes 51 seconds West 284.17 feet, thence (5) South 15 degrees 52 minutes 29 seconds East 106.70 feet, thence (6) South 15 degrees 47 minutes 29 seconds East 88.92 feet, thence (7) South 50 degrees 05 minutes 53 seconds West 101.29 feet, thence (8) North 14 degrees 18 minutes 11 seconds West 133.41 feet, thence (9) South 69 degrees 32 minutes 38 seconds West 342.12 feet, thence (10) South 09 degrees 02 minutes 38 seconds West 90.88 feet, thence (11) South 48 degrees 11 minutes 05 seconds West 395.51 feet, thence (12) South 40 degrees 30 minutes 25 seconds East 151.52 feet, thence (13) South 44 degrees 28 minutes 11 seconds West 108.32 feet, thence (14) South 20 degrees 23 minutes 09 seconds East 198.75 feet, thence (15) South 16

degrees 44 minutes 51 seconds West 105.27 feet, thence (16) South 61 degrees 26 minute 51 seconds West 96.63 feet, thence (17) South 53 degrees 59 minutes 11 seconds West 79.06 feet, thence (18) North 83 degrees 10 minutes 09 seconds West 253.98 feet, thence (19) South 71 degrees 54 minutes 51 seconds West 50.00 feet, thence (20) South 62 degrees 42 minutes 14 seconds West 160.06 feet, thence (21) South 69 degrees 05 minutes 14 seconds West 199.92 feet, thence (22) North 37 degrees 21 minutes 13 seconds West 212.65 feet, to a point of nontangency, thence (23) Northeasterly by a line curving to the right, having a radius of 975.00 feet, for a distance of 62.92 feet (the arc of said curve being subtended by a chord bearing North 74 degrees 39 minutes 17 seconds East 62.91 feet), thence (24) North 13 degrees 29 minutes 39 seconds West 50.00 feet to a point of nontangency, thence (25) Southwesterly by a line curving to the left, having a radius of 1025.00 feet, for a distance of 147.57 feet (the arc of said curve being subtended by a chord bearing South 72 degrees 22 minutes 52 seconds West 147.45 feet), thence (26) North 21 degrees 44 minutes 38 seconds West 104.64 feet, thence (27) North 33 degrees 26 minutes 09 seconds West 526.18 feet, thence (28) North 56 degrees 33 minutes 52 seconds East 561.86 feet, thence (29) North 60 degrees 41 minutes 02 seconds East 103.10 feet, thence (30) South 88 degrees 28 minutes 39 seconds East 368.86 feet, thence (31) South 44 degrees 41 minutes 43 seconds East 32.01 feet, thence (32) North 46 degrees 03 minutes 08 seconds East 896.76 feet, thence (33) South 46 degrees 11 minutes 57 seconds East 412.43 feet, thence (34) North 43 degrees 48 minutes 03 seconds East 366.49 feet, and thence (35) South 49 degrees 25 minutes 57 seconds East 233.91 feet to the point of beginning; containing 35.24 acres of land, more or less, as surveyed by Daft-McCune-Walker, Inc., in April, 2002.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

October 8, 2002

Project No. 91078 (L91078)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **18915**

DATE 10-25-02 ACCOUNT 001-006-6150

AMOUNT \$ 650.00

RECEIVED FROM: Veneta Bratton and Howard LLP

HOWARD CROWELL MORRIS

FOR: VARIANCE

ITEM # 200

Taken by: JRF

PAID RECEIPT

BUSINESS 400M

10/28/2002 10:25/002

REG 4802 MAIL JEN E

RECEIPT # 252309 10:25/02

DEPT 5 529 ZONING

OR NO. 018915

Receipt Tot 4.00

10/28/02

Baltimore County

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: #03-200-A

N/W side of Cub Hill Road, 1000 feet southeast of Cromwell Bridge Road

N/W side of Cub Hill Road, 1000 feet southeast of Cromwell Bridge Road

9th Election District - 6th Councilmanic District

Legal Owner(s): Ronald O. Schaffel, President, Cub Hill Road Limited Partnership, Cub Hill, Inc. General Partner

Variances: to permit a minimum distance of 7 ft. from window to property line in lieu of the required 15 feet for Lot Nos. 27 through 29 and 50 through 63. To permit a minimum distance of 10 feet from window to street right-of-way in lieu of the required 25 feet for Lot Nos. 27 and 29 and 50 through 59. To permit a minimum distance of 14 feet between facing windows in lieu of the required 40 feet for Lot Nos. 27, 28, 29, and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, and 53, and 29 and 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, and 53, and 29 and 50. To permit a minimum horizontal distance of 14 feet between building in lieu of the required 30 feet for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53 and 29 and 50.

Hearing: Tuesday, December 10, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bestway Avenue,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386

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

JT 11/26/02 November 26

CS76120

CERTIFICATE OF PUBLICATION

11/27/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/26/2002.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-200-A

Petitioner/Developer: RONALD O.

SCHAFFEL, PRESIDENT, CUB HILL RD
LIMITED PARTNERSHIP

Date of Hearing/Closing: 12/10/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at N/W SIDE OF CUB HILL RD
1000 FT SOUTHEAST OF CROMWELL BRIDGE RD

The sign(s) were posted on 11/24/02
(Month, Day, Year)

Sincerely,

[Signature] 11/24/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

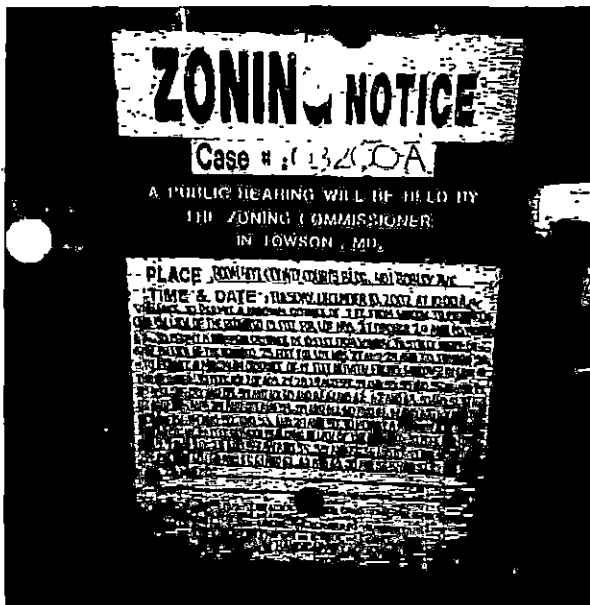
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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: 03-200-A
Petitioner: Cas Hill Road Limited Partnership
Address or Location: N/W side Cas Hill Road, S/E of Casmell Bridge Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Duntell
Address: 210 McKenney Avenue
Towson Maryland 21204
Telephone Number: (410) 994-6244

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

November 6, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 03-200-A

NW side of Cub Hill Road, 1000 feet southeast of Cromwell Bridge Road

NW side of Cub Hill Road, 1000 feet southeast of Cromwell Bridge Road

9th Election District – 6th Councilmanic District

Legal Owner: Ronald O. Schaftel, President, Cub Hill Road Limited Partnership, Cub Hill, Inc., General Partner

Variance to permit a minimum distance of 7 ft. from widow to property line on lieu of the required 15 feet for Lot Nos. 27 through 29 and 50 through 63. To permit a minimum distance of 10 feet from window to street right-of-way in lieu of the required 25 feet for Lot Nos. 27 and 29 and 50 through 59. To permit a minimum distance of 14 feet between facing windows in lieu of the required 40 feet for Lot Nos. 27, 28, 29, and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, and 53, and 29 and 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, and 53, and 29 and 50. To permit a minimum horizontal distance of 14 feet between building in lieu of the required 30 feet for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, 52 and 53 and 29 and 50.

HEARING: Tuesday, December 10, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

A handwritten signature in black ink, appearing to read "Arnold Jablon".

AJ:rlh

C: Cub Hill Road Limited Partnership, Cub Hill, Inc., General Partner, 111 S. Calvert Street, Suite 2820, Baltimore 21220
Robert A. Hoffman, Venable, Baetjer & Howard, 210 Allegheny Ave., Towson 21204

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 25, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 26, 2002 Issue – Jeffersonian

Please forward billing to:

Amy Dontel
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 03-200-A

N/W side of Cub Hill Road, 1000 feet southeast of Cromwell Bridge Road

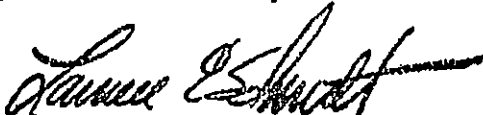
N/W side of Cub Hill Road, 1000 feet southeast of Cromwell Bridge Road

9th Election District – 6th Councilmanic District

Legal Owner: Ronald O. Schafel, President, Cub Hill Road Limited Partnership, Cub Hill, Inc., General Partner

Variance to permit a minimum distance of 7 ft. from widow to property line on lieu of the required 15 feet for Lot Nos. 27 through 29 and 50 through 63. To permit a minimum distance of 10 feet from window to street right-of-way in lieu of the required 25 feet for Lot Nos. 27 and 29 and 50 through 59. To permit a minimum distance of 14 feet between facing windows in lieu of the required 40 feet for Lot Nos. 27, 28, 29, and 54, 54 and 55, 55 and 56, 56 and 57, 57 and 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, and 53, and 29 and 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 and 63, 50 and 51, 51 and 52, and 53, and 29 and 50. To permit a minimum horizontal distance of 14 feet between building in lieu of the required 30 feet for Lot Nos. 27 and 28, 28 and 54, 54 and 55, 55 an 56, 56 and 57, 57 an 58, 58 and 59, 59 and 60, 60 and 61, 61 and 62, 62 an 63, 50 and 51, 51 and 52, 52 and 53 and 29 and 50.

HEARING: Tuesday, December 10, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 6, 2002

Robert A. Hoffman
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 03-200-A, N/W side of Cub Hill Road, 1000' S/E of Cromwell Bridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 25, 2002.

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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Cub Hill Road Limited Partnership, Cub Hill, Inc., General Partner, Ronald Schafel,
President, 111 S. Calvert St., Suite 2820, Baltimore 21202

Come visit the County's Website at www.co.ba.md.us





**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 11-6-02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

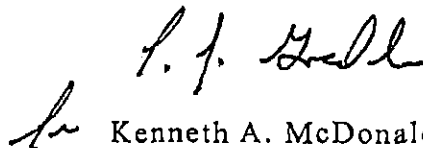
RE: Baltimore County
Item No. 200 JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

November 7, 2002

ATTENTION: George Zahner

Property Owner: Distribution Meeting of November 4, 2002

Location:

Item No.:

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

193-202 *200*

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits &
Development Management

DATE: November 29, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2002
Item Nos. 193, 194, 195, 196, 197, 198,
199, 200, 201, and 202

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB/HT*

DATE: November 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of November 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

200

193-202

JH
12/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 9, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-200

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Lynne Sanborn

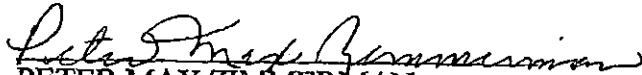
AFK/LL:MAC

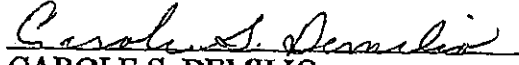
RE: PETITION FOR VARIANCE	*	BEFORE THE
NW/side of Cub Hill Road, 1000'	*	ZONING COMMISSIONER
southeast of Cromwell Bridge Road	*	
9 th Election District	*	FOR
6 th Councilmanic District	*	
Legal Owner: Cub Hill Road Ltd. Partnership	*	BALTIMORE COUNTY
Cub Hill, Inc. General Partner	*	
Ronald O. Schafel, President	*	03-200-A
Petitioner(s)	*	

* * * * *

ENTRY OF APPEARANCE

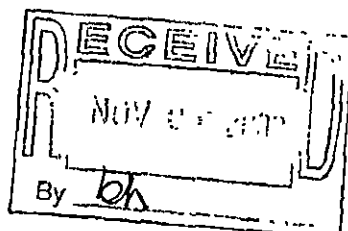
Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

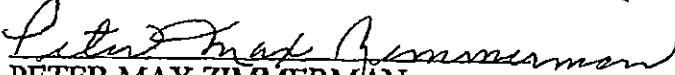

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of November, 2002, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, VENABLE, BAETJER & HOWARD, LLP, 210 Allegheny Avenue, Towson, MD 21204 Attorney for Petitioner(s).




PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

December 7, 2002

Cromwell Woods Homeowners Association, Inc.
9 Lochwell Court
Baltimore, MD 21234

Arnold Jablon, Director
Baltimore County Department of Permits
and Property Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case #03-200-A

Dear Mr. Jablon,

I'm writing to inform you of the position of the Cromwell Woods Homeowners Association, Inc. in regard to the hearing on the above referenced case scheduled on Tuesday, December 10, 2002.

The Association supports the approval of the variance of the side yard setback to not less than seven (7) feet so that larger houses may be constructed while maintaining the existing character and harmony of the Cromwell Woods community.

The Association does not support any variances to reduce the required 25' from window to street right-of-way.

Please feel free to contact me with any questions.

Sincerely,



Joseph J. DiMaggio
Vice-President

Cromwell Woods Homeowners Association

CASE NAME Cuba Hill
CASE NUMBER 03-200-A
DATE 12/10/02

[illegible]

CASE NAME Ch. Hill
CASE NUMBER 73-200-A
DATE 12/10/02

[illegible]

167 2

AGREEMENT

THIS AGREEMENT (this "Agreement"), entered into this 8th day of September, 2002, by and among CUB HILL ROAD LIMITED PARTNERSHIP, a Maryland limited partnership ("Cub Hill") and CROMWELL WOODS ASSOCIATION INC., a Maryland corporation ("Cromwell Woods").

BACKGROUND

A. Cub Hill is the owner and/or developer of certain lots or parcels of land located on Cub Hill Road and Smith Avenue in Baltimore County, Maryland, which are outlined in red on Exhibit A, attached hereto and incorporated herein (the "Property").

B. Cromwell Woods is a homeowners association, which owns certain parcels of land in the subdivision commonly known as Cromwell Woods, and which represents all of the owners of property within the subdivision.

C. The Property is in the immediate vicinity of certain lots that are located in the Cromwell Woods subdivision.

D. In connection with the subdivision and development of the Property, Cromwell Woods has requested that Cub Hill make certain improvements within the Cromwell Woods subdivision in consideration of Cromwell Woods' agreement to support and not to oppose the subdivision and development of the Property or to appeal the plan of subdivision for the Property, which was approved by the County Review Group ("CRG") on August 8, 2002, and Cub Hill has agreed to make such improvements, subject to the terms and conditions of this Agreement.

12/11/02
R. Johnson

WITNESSETH

NOW, THEREFORE, in consideration of the mutual covenants, agreements and obligations contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Cub Hill's Obligations.

a. During the subdivision and development of the Property and thereafter, Cub Hill agrees not to cut or clear the wooded area that is shown within the area shown as "Limit of Forest Clearing" on Exhibit A, which is attached hereto and incorporated herein.

b. Cub Hill agrees to install two (2) stop signs at the intersections of Ravenridge Road at Wood Raven Court and Ravenridge Road at Lochwell Court within the Cromwell Woods subdivision. The stop signs will be located on Wood Raven Court and Lochwell Court. Cub Hill also agrees to cause a yellow median paint line to be placed on the center line of Ravenridge Road from the intersection of Satyr Hill Road to the intersection of Lochwell Court in accordance with the Approval (defined hereafter).

c. Cub Hill agrees to install the signs described in paragraph 1.b of this Agreement within fifteen (15) days after Cub Hill commences construction of the road through the Property. The stop signs shall meet applicable regulations of Baltimore County, Maryland for the size, design and placement of such signs.

d. Cromwell Woods has requested that Cub Hill install up to three (3) asphalt speed bumps on Ravenridge Road in such locations as Cromwell Woods shall designate in writing to Cub Hill. To date, Baltimore County, Maryland has refused to permit the installation of such speed bumps. If Baltimore County approves the installation of up to three (3) speed bumps on Ravenridge Road within three (3) years after the date of this Agreement, then Cub Hill agrees to cause such speed bumps to be installed in a good and workmanlike manner in

accordance with applicable regulations within ninety (90) days after Baltimore County grants such approval, provided that Cromwell Woods has given Cub Hill written notice of the locations that Cromwell Woods designates for the speed bumps.

e. Cub Hill agrees to make a one-time contribution in the aggregate amount of Ten Thousand Dollars (\$10,000.00) (the "Landscaping Fee") to Cromwell Woods, which shall be used by Cromwell Woods in its sole discretion primarily for landscaping along Ravenridge Road in the Cromwell Woods subdivision. Cub Hill agrees to pay Five Thousand Dollars (\$5,000.00) of the Landscaping Fee before beginning construction of work on the Property. Cub Hill agrees to pay the remaining Five Thousand Dollars (\$5,000.00) of the Landscaping Fee within six (6) months after the date of the first payment.

f. Cub Hill agrees to place restrictive covenants on the lots that are depicted and designated on Exhibit A as Lots 53 through and including 63. Said restrictive covenants shall include, but not necessarily be limited to, the following restrictions:

i. Each house constructed on each lot shall not be less than two thousand two hundred (2,200) square feet.

ii. Each house constructed on each lot shall have a "Colonial" style front and a minimum of a two-car attached garage. The front of each house (that side which faces the road through the Property) shall be brick, stucco, stone, high quality imitation stone or similar materials, provided that such materials are of similar quality as is found on houses that are located in the Cromwell Woods subdivision.

g. All of the obligations of Cub Hill described in this paragraph 1 shall be performed at no expense or liability to Cromwell Woods. Once the obligations of Cub Hill described in paragraphs 1.b and 1.d (if applicable) are completed, Cub Hill shall have no further

liability with respect to the repair, maintenance or replacement of the improvements described in said paragraphs.

2. Cromwell Woods' Obligations.

a. Cromwell Woods agrees to support and not to oppose, directly or indirectly, the approval of the plan of subdivision for the Property, or of any order granting a special hearing, variance or amendment to any of the foregoing in connection therewith, provided that any such plan, special hearing, variance or amendment shall not (i) increase the number of lots to be developed upon the Property or (ii) permit cutting or clearing in the area designated on Exhibit A hereto as "Limit of Forest Clearing", or (iii) extend Ravenridge Road beyond the property line of the Property.

b. Cromwell Woods agrees not to file an appeal of the approval of Cub Hill's subdivision plan for the Property by the CRG, which was granted on August 8, 2002 (the "Approval").

c. Cromwell Woods acknowledges that Cub Hill plans to request that the Zoning Commissioner for Baltimore County (the "Zoning Commissioner") approve variances of the applicable side yard setback requirements, provided that such setbacks shall not be less than seven feet (7'). Cromwell Woods acknowledges that the granting of such variances will allow larger houses to be constructed upon the Property and agrees to support such variances by having representatives attend a hearing or hearings before the Zoning Commissioner or submitting written testimony in support of such variances, provided that Cub Hill gives Cromwell Woods at least ten (10) days prior notice of such hearings.

3. Condition Precedent.

The duty of each party to perform its obligations under this Agreement is contingent upon and will automatically terminate and be of no further force and effect, and the

parties shall have no further rights, duties or obligations unto each other pursuant hereto, if the Approval is appealed.

4. Miscellaneous Provisions.

a. This Agreement shall bind the parties hereto, their successors, heirs and assigns.

b. This Agreement shall be governed by the laws of the State of Maryland, without regard to conflicts of laws.

c. The parties shall have all rights and remedies at law and in equity to enforce this Agreement.

d. This Agreement contains all of the agreements of the parties with respect to the subject matter hereof and cannot be modified, except by written agreement of the parties.

e. Each person who signs this Agreement represents and warrants to each other party hereto that he has full right, power and authority to enter into and carry out the provisions of this Agreement and that no further consents or approvals are required to make this Agreement the binding obligation of the party on whose behalf each person signs this Agreement.

f. The parties hereto expressly disclaim any partnership, joint venture or similar relationship or arrangement.

g. This Agreement may be signed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same agreement.

{This space is intentionally left blank. Signatures follow.}

WHEREFORE, the parties execute this Agreement as of the day and year first above written.

WITNESS:

Kyle O. Schaffel

CUB HILL ROAD LIMITED PARTNERSHIP

By: Cub Hill, Inc., General Partner

By: Ronald O. Schaffel (SEAL)
Ronald O. Schaffel, President

CROMWELL WOODS ASSOCIATION INC.

Amanda Hirsch

By: Joseph J. DiMaggio for the Board of CWH
(SEAL)
Name: JOSEPH J. DIMAGGIO
Title: V.P.

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 4, 1993

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson Maryland 21204

RE: Case No. 93-313-A
Petition for Zoning Variance
Cromwell Woods Limited Partnership

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3791.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Mr. John L. Tansey
Messrs. Edward Halle and Richard Baummer
Mr. Harvey C. Hess III
Mr. and Mrs. Thomas Shipley
Mr. Guy Schehle

Per Ex #3

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NE/2 Satyr Hill Rd., 84 ft. *
SE of Cromwell Bridge Rd. * ZONING COMMISSIONER
(Cromwell Woods Subdivision). *
9th Election District * OF BALTIMORE COUNTY
6th Councilmanic District *
Cromwell Woods Ltd. Partnership * Case No. 93-313-A
Petitioner *

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the residential lots in the Cromwell Woods Subdivision, located near Cromwell Bridge Road and Satyr Hill Road in Baltimore County. The Petitioner, Cromwell Woods Limited Partnership, seeks relief from a series of regulations as they relate to building to building, side window to street right of way, window to side lot line, and side window to side window setbacks. Specifically, relief is sought from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.3 of the Comprehensive Manual of Development Policy (CMDP) to permit a 20 ft. building to building separation in lieu of the required 40 ft. for heights between 30 ft. and 40 ft., for lots 1 through 43; from Section V.B.6.a. of the CMDP to permit side window to street right of way separations of 15 ft. in lieu of the required 25 ft., for lots 1, 10, and 34; from Section V.B.6.b of the CMDP to permit window to side lot line separations of 10 ft. in lieu of the required 15 ft., for lots 1 through 43; and from Section 1B01.2.C.2.b of the B.C.Z.R. and Section V.B.6.c of the CMDP to permit 20 ft. side window to side window separations in lieu of the required 40 ft. for lots 1 through 43. The provisions of the CMDP are applicable

ORDER RECEIVED FOR FILING

Date

By

to this property, pursuant to Section 504 of the B.C.Z.R. Further, all of the relief requested is more particularly shown on the site plan marked as Petitioner's Exhibit No. 1.

Appearing at the public hearing held for this case was a representative of the developer/property owner, Cromwell Woods Limited Partnership, namely, John L. Tansey. Also appearing in support of the Petition were the project engineers, Dick Baumer and Ed Haile of Daft, McCune and Walker. The Petitioner was represented by Robert A. Hoffman, Esquire. Appearing in opposition was Harvey C. Hess, III, Mr. and Mrs. Thomas Shipley, and Guy Schehlein.

An overview of the subject property discloses that the site is part of a larger tract which is 86 acres in size. The subject parcel is 38.264 acres and is predominantly zoned D.R.1 with a small portion of D.R.2. The property has previously undergone review through the development process (CRG) and the Petitioner has obtained approval to construct a residential subdivision of 43 single family dwellings. In fact, one of the lots has been developed. A number of other lots have been sold and several houses are under construction.

Mr. Tansey testified that notwithstanding the large acreage (38.264 acres) of the site, the actual building area is quite small. Specifically, there are steep slopes located on the north side of the site which prohibit any development on that portion of the tract. Thus, all of the lots have been compressed into a smaller area. Mr. Tansey testified that the developer's marketing scheme is to construct substantially sized homes consistent with other houses in the general community. Due to these marketing objectives and site constraints, little flexibility is available to the developer and potential homeowners if the setback provisions of the

ORDER RECEIVED FOR FILING

Date

By

5/6/93
M. G. G. G.

B.C.Z.R. and C.M.D.P. are strictly observed. That is, many of the houses would not be permitted to have side windows and the architectural style of the dwellings would be compromised.

Mr. Tansey's testimony was echoed by Ed Haile, Chief Executive Officer/Engineer from Daft, McCune and Walker. He noted that, when the project originally obtained development approval, the buildable area of the property was thought to be approximately 20 acres. This was based on County maps and documents which were relied upon during the C.R.G. process. However, after C.R.G. approval was obtained, field surveys disclosed that the total buildable acreage was 17 acres. Thus, it was necessary to reduce many of the lots from a 100 ft. width to 80 ft. This has resulted in a smaller building envelope area which has necessitated the requested variances. Mr. Haile also commented that the proposed development is consistent with a subdivision on property which is zoned 3.5 acres; that is, the existing zoning classification and zoning regulations applicable thereto coupled with the site constraints of the property produce unusual circumstances which justify the granting of the variance.

Testifying in opposition to the Petition was Harry C. Hess, III. Frankly, it was difficult to determine the source of Mr. Hess's interest in this property and its development. He indicated that he is the owner/developer of an adjacent tract shown on the site plan as Hessian Woods. In fact, but for his ownership of a remaining unsold lot in that subdivision, he might lack standing to participate in this case. He does not live anywhere near the subject property and his development is already completed and built out except for the orphan lot which remains under his ownership.

ORDER RECEIVED FOR FILING

Date

3/5/93

By

Mr. [Signature]

In any event, Mr. Hess apparently encountered similar site constraints during the development of his project and believe that the subject Petitioner will not obtain a suitable economic return for its investment on the subject tract. Needless to say, that issue is the developer's concern and not related to the question presented to me.

Also testifying was Thomas Shipley. Mr. Shipley's interest is more understandable in that he owns property immediately adjacent to the site. However, many of his concerns center on his obvious preference that the property not be developed at all. That is, Mr. Shipley complained about the manner in which the property received developmental approval through the C.R.G. process and many of the issues related thereto. His concerns did not specifically bear on the merits of the variances presented. In fact, many of the concerns voiced by Messrs. Hess and Shipley dealt with the deficiencies of the CRG process from a community input standpoint. I concur that that process needed overhaul and, in fact, was replaced by the new/current development regulations which promote community participation and input. Nonetheless, these "development" issues are irrelevant to the narrow issue before me arising from the requested variance.

Lastly, testimony was received from Mr. Schehlein. He is the owner of one of the subject lots in the subdivision and apparently attended the hearing to identify the issues presented. When the issue was explained, Mr. Schehlein appeared to support the Petition so that additional flexibility can be granted to builders during the construction of the homes. A brief comment is appropriate about the Zoning Plans Advisory Committee memorandum from the Office of Planning and Zoning. Although supporting the Petition based upon the unusual site constraints, the Office of Planning and Zoning staff rejects the written rationale for variance set forth

ORDER RECEIVED FOR FILING

Date

By

in the Petition. I concur with the Office of Planning's analysis in this respect.

A variance may be granted where strict application of the subject zoning regulation would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, supra

It is clear from the testimony that if the variances are granted, the development of this site will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that the Petitioner will suffer a practical difficulty if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land which is the subject of the variances requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the site constraints unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health,

ORDER RECEIVED FOR FILING

Date

By

5/5/93

Mr. York

safety and general welfare. Further, granting of the variances will be in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5 day of May 1993 that a variance from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.3 of the Comprehensive Manual of Development Policy (CMDP) to permit a 20 ft. building to building separation, in lieu of the required 40 ft. for heights between 30 ft. and 40 ft., for lots 1 through 43, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section V.B.6.a. of the CMDP, to permit side window to street right of way separations of 15 ft. in lieu of the required 25 ft. for lots 1, 10, and 34, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section V.B.6.b of the CMDP to permit window to side lot line separations of 10 ft. in lieu of the required 15 ft., for lots 1 through 43, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.2.b of the B.C.Z.R. and Section V.B.6.c of the CMDP to permit 20 ft. side window to side window separations, in lieu of the required 40 ft. for lots 1 through 43, all in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason,

ORDER RECEIVED FOR FILING

Date

By

this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

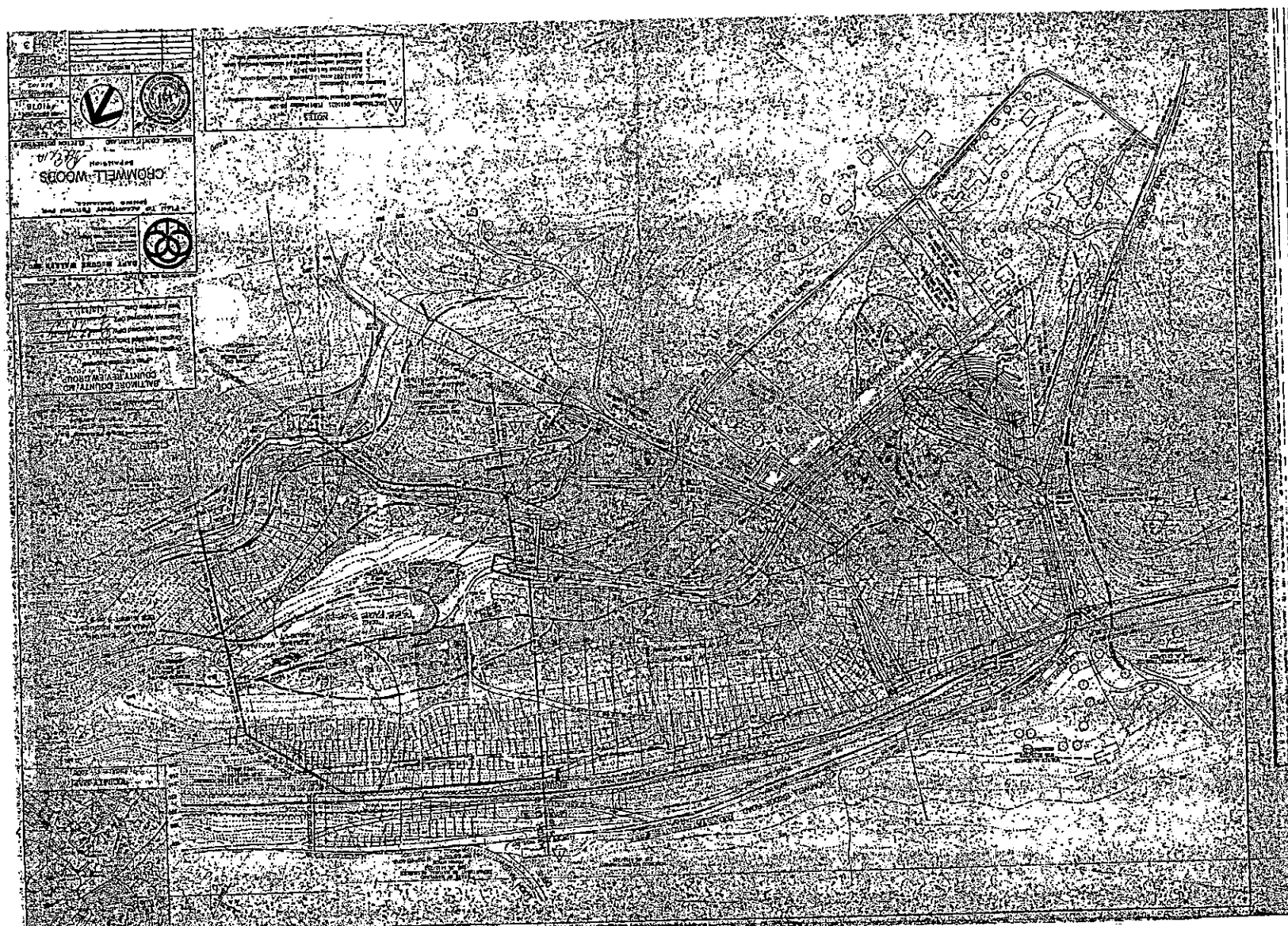
LES/mm

ORDER RECEIVED FOR FILING

Date

By

5/1/93
Dr. Smith



SECTION 1: GENERAL NOTES

1. All work shall be in accordance with the latest edition of the Standard Specifications for Highway Construction, as adopted by the State of California.
2. The Contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The Contractor shall maintain access to all existing utilities and structures throughout the project.
4. All materials and workmanship shall be subject to inspection and approval by the Engineer.
5. The Contractor shall be responsible for the safety of all workers and the public during the construction process.
6. The Contractor shall maintain accurate records of all construction activities and materials used.
7. The Contractor shall be responsible for the removal and disposal of all construction waste in accordance with local regulations.
8. The Contractor shall be responsible for the protection and preservation of all existing trees and vegetation.
9. The Contractor shall be responsible for the installation and maintenance of all traffic control devices.
10. The Contractor shall be responsible for the completion of all construction work within the specified time frame.

SECTION 2: MATERIALS AND METHODS

2.1 **Gravel**: The gravel shall be of a size and quality as specified in the Standard Specifications for Highway Construction. It shall be placed in layers and compacted to the required density.

2.2 **Concrete**: The concrete shall be of a strength and quality as specified in the Standard Specifications for Highway Construction. It shall be placed and finished in accordance with the approved plans and specifications.

2.3 **Reinforcement**: The reinforcement shall be of a size and quantity as specified in the approved plans. It shall be installed in accordance with the approved plans and specifications.

2.4 **Formwork**: The formwork shall be of a type and quality as specified in the Standard Specifications for Highway Construction. It shall be used to form the concrete to the required shape and dimensions.

2.5 **Compaction**: The gravel and concrete shall be compacted to the required density using a roller or other approved equipment.

2.6 **Finishing**: The concrete shall be finished to a smooth, even surface in accordance with the approved plans and specifications.

2.7 **Curing**: The concrete shall be cured in accordance with the approved plans and specifications.

2.8 **Jointing**: The concrete shall be jointed in accordance with the approved plans and specifications.

2.9 **Drainage**: The drainage system shall be installed in accordance with the approved plans and specifications.

2.10 **Painting**: The concrete shall be painted in accordance with the approved plans and specifications.

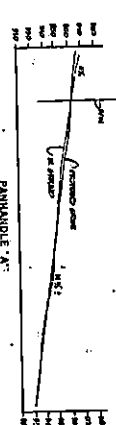


FIGURE 1
PROPOSED EXPANSION

OUTLINE OF ENTIRE TRACT

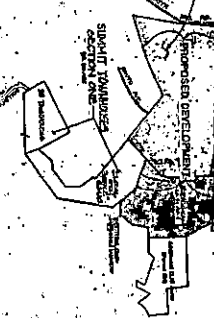
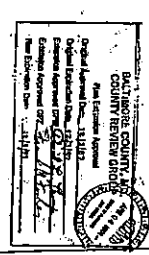


TABLE 1
SUMMARY OF MATERIALS AND METHODS

Item	Quantity	Unit	Material	Method
Gravel	10,000	cuyd	Gravel	Placed and compacted
Concrete	1,000	cuyd	Concrete	Placed and finished
Reinforcement	100	lbs	Reinforcement	Installed
Formwork	100	sq ft	Formwork	Used
Compaction	100	sq ft	Compaction	Performed
Finishing	100	sq ft	Finishing	Performed
Curing	100	sq ft	Curing	Performed
Jointing	100	sq ft	Jointing	Performed
Drainage	100	sq ft	Drainage	Installed
Painting	100	sq ft	Painting	Performed



DAVID J. MACCORMACK
Professional Engineer
State of California
License No. 12345
Expiration Date 12/31/2024

PROJECT INFORMATION

Project Name: **CRONWELL WOODS EXPANSION**

Client: **CRONWELL WOODS**

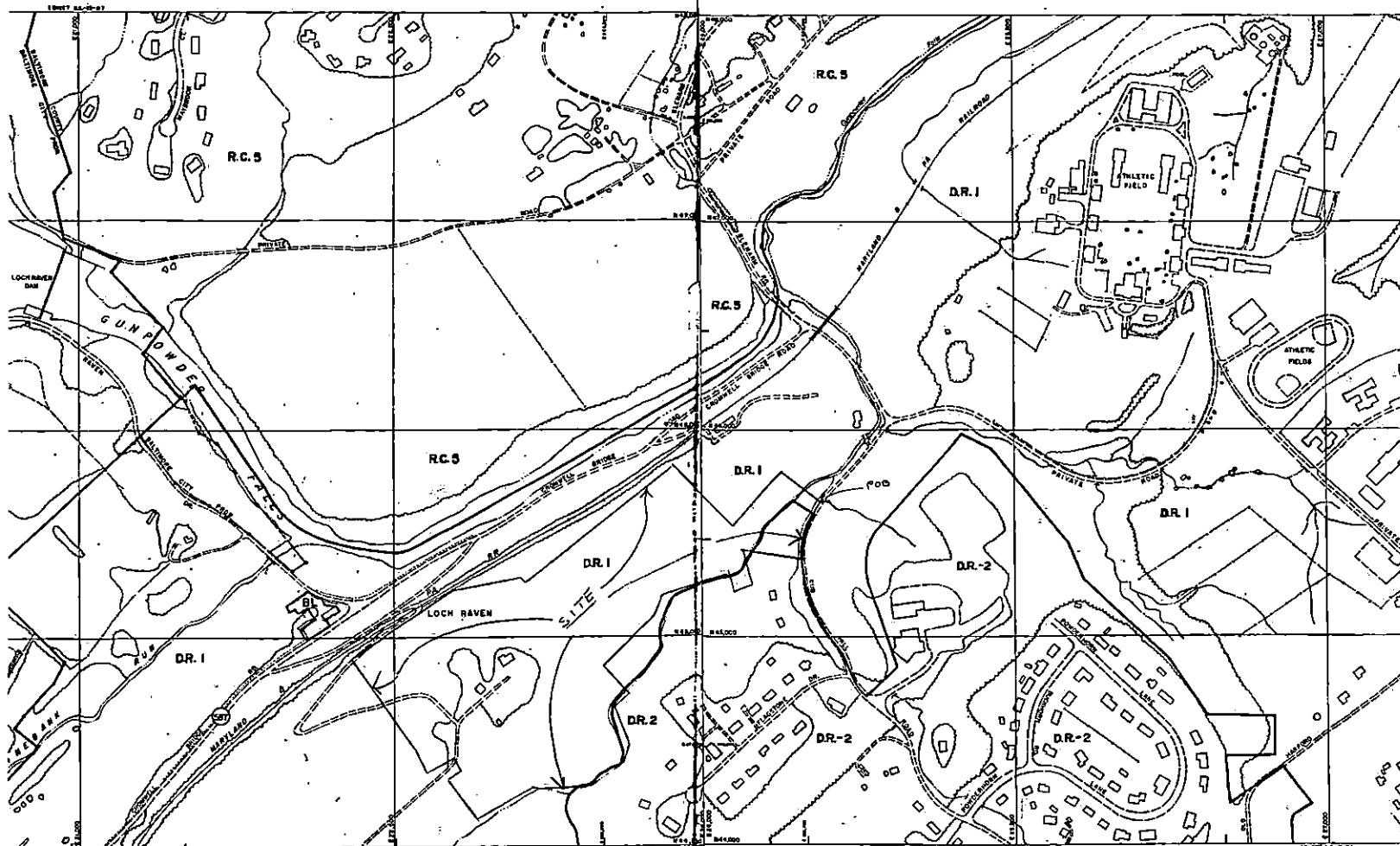
Address: **12345 Main St, Anytown, CA 90123**

Project No: **12345**

Sheet No: **2 OF 3**

Scale: **AS SHOWN**

Notes: **SEE SHEET 1 FOR DETAILS**



**TIMORE COUNTY
PLANNING AND ZONING
AL ZONING MAP**

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1958

LOCATION
LOCH RAVEN
RESERVOIR AREA
CROMWELL
BRIDGE

SHEET
R-SE Q-SW
R.E.
12-D

THIS MAP HAS BEEN PROVIDED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAPHIC METHOD
BY BUCHART-JONES, INC., BALTIMORE, MD. 21218

2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 11, 1959
SHEETS Nos. 87-01, 88-01, 89-01, 90-01, 91-01, 92-01, 93-01

Joseph B. Battelle
(Chairman, County Council)

**BALTIMORE COUNTY
OFFICE OF PLANNING AND
OFFICIAL ZONING**

**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 twenty (20) 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: 2019-0226-A

Property Address: 9335 Raven Ridge Rd, Parkville MD 21234

Property Description: _____

Legal Owners (Petitioners): Frank Grosso Barbara Grosso

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Frank Grosso Barbara Grosso

Company/Firm (if applicable): _____

Address: 9335 Raven Ridge Rd Parkville
Parkville MD 21234

Telephone Number: 410-371-6837

Revised 7/9/2015