

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNA
Zoning Commissioner
JAMES E. DYER
Deputy Zoning Commissioner



494 - 3351
494 - 3391

April 8, 1975

Mrs. William Shauer
7624 Parkwood Road
Baltimore, Maryland 21222

RE: Case No. 75-67-A (Item No. 22)
NE/corner of Parkwood and
Ambler Roads - 12th Election
District
Jack D. Shiflett - Petitioner

Dear Mrs. Shauer:

I am in receipt of your letter of March 18, 1975, in which you express your objection to the construction being performed, subsequent to the granting of the above referenced Variance Petition.

As stated in the Order, a Variance was granted to allow a patio, open on three sides, to be located within two feet of the side property line instead of the required seven feet. This office would consider such a patio as enclosed if glass or jalousies were used. Screen would still leave the area exposed and would therefore be considered open.

With regard to your complaint regarding the construction of a swimming pool and dog kennel, I have determined that both meet all applicable requirements of the Baltimore County Zoning Regulations.

If further explanation or additional information is required, please feel free to contact this office.

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED/JBB, III/scw

cc: Mr. James E. Dyer, Deputy Zoning Commissioner
Mr. James B. Byrnes, III, Chief, Zoning Enforcement Section
File

111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

FILE

S. Eric Dinenna
Zoning Commissioner



April 14, 1975

to Dear Sir,

I received your letter of April 8-75 in which you stated you consider the patio open with screen & metal.

Since it is enclosed as far as we are concerned I will give you an example. There is 2 dogs left on patio to "Loose" while they are at work. Where if it was open that wouldn't happen.

It seems this dog kennel is being repaired. You say the kennel meets the requirements of Code. The office states a shed or building has to be on back half of side yard or corner houses. The kennel is completely in front of Ambler Rd. Homes also pool fence is extended in front of three homes. I wonder stand a kennel needs a special permit. Shifflette did not stay back the 2 ft the County allowed them. In fact nothing can be done. The County has a ~~copy~~ copy of both our letters and could decide where line is without any problem.

Our neighbors feel they will get to put glass on patio this fall. "Time will tell." I don't feel this letter will help us but we ain't stupid."

Mrs William Shauer

April 8, 1975

Mrs. William Shaver
7624 Parkwood Road
Baltimore, Maryland 21222

RE: Case No. 75-67-A (Item No. 22)
NE/corner of Parkwood and
Ambler Roads - 12th Election
District
Jack D. Shiflett - Petitioner

Dear Mrs. Shaver:

I am in receipt of your letter of March 10, 1975, in which you express your objection to the construction being performed, subsequent to the granting of the above referenced Variance Petition.

As stated in the Order, a Variance was granted to allow a patio, open on three sides, to be located within two feet of the side property line instead of the required seven feet. This office would consider such a patio as enclosed if glass or jalousies were used. Screen would still leave the area exposed and would therefore be considered open.

With regard to your complaint regarding the construction of a swimming pool and dog kennel, I have determined that both meet all applicable requirements of the Baltimore County Zoning Regulations.

If further explanation or additional information is required, please feel free to contact this office.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/JBB, III/scw

cc: Mr. James E. Dyer, Deputy Zoning Commissioner
Mr. James B. Byrnes, III, Chief, Zoning Enforcement Section
File

Mr. Eric Di Nenna
Dear Sir,

I'm writing you regarding a Variance permit granted the Jack Shiflett family at 7622 Parkwood Rd. Right door to us.

It is stated in the enclosed Petition (enclosed) that all three sides are to remain open. Now the County is letting it be closed in with metal & screens. I think this is very unfair to us to let them go even beyond the ruling that was handed down.

Will you please see that this is made right since they are allowed to come within 2 ft of our property. We only have 9 ft on that side.

Enclosed is a copy of a letter telling you of all violation they have already. Please explain why they got away with so much.

Yours Resp.

Mrs. Wm Shaver
7624 Parkwood Rd
Baltimore MD 21222

MAR 21 1975 AM

Mar 16 1975



25 October 1974

7624 Parkwood Road
Bundalk, Maryland 21222

S. Eric Di Nenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Sir:

I am writing you regarding the Petition for Variance, N.E. corner of Parkwood Road and Ambler Road, 12th District, Jack D. Shiflett petitioner, #7567A, Item #22.

I am sorry you granted the 2 foot set back instead of the 7 foot. However, I am thankful you ruled that 3 sides of the building are to remain open and that the cover must be a material that will not burn.

I thought everyone was to abide by Baltimore County Code. You spoke of the other carports in the area. I told you at the hearing I could not do anything about them. Your inspectors should have stopped them I should not have to be the one to suffer for mistakes that County officials make or let stand in violation. In add to this, there are not as many carports in this area as Mr. Shiflett stated.

The "decorative" brick wall you admired so much, was built only after the building inspector made them do so. This action was taken by the inspector to protect our property from water draining onto it from Mr. Shiflett's patio that is almost against our fence. Mr. Reed, the county inspector, had to put two "stop work" orders on the patio before he could get their attention.

In 1969 the Shiflett family added a "built-in" pool to their property. If you will check your records, you will find that the pool was not installed by the code for this area. Again, nothing was done about this violation. The county posted a sign concerning the building of the pool; Mr. Shiflett decided that no one should be concerned about what he was doing to his property and promptly took the sign down. No one in the area knew what the "improvement" would be.

Since the pool was not built according to code and the ground level around the pool was changed, we have had to contend with water draining from their yard into our yard. This was brought to the attention of everyone at the hearing, but no one seemed to listen or care.

At the time of the hearing it was also brought out that this structure so close to our home would be a fire hazard. In the past, the cover to our air conditioner unit has been burned by cigarettes and live cigarettes have been thrown into our yard. This time it was an air conditioner cover, the next time it could be our house. To add to this broken glass has also been thrown into our yard.

The fence around the pool extends 10 to 12 feet blocking the fronts of homes on Ambler Road. Also the dog kennel they have erected is totally in front of the residents homes on Ambler Road. This is really a lovely building and so enjoyable to look at. Again nothing has been done about these things, and apparently the county could care less.

It seems like the more violations a person has the more permits the county will grant -- especially in the cases of Jack D. Shiflett. It does not appear that the county is doing their job to see that people are aware of the building codes and adhere to them.

You spoke of the hardship to the petitioner if you did not grant them a permit. What about the hardship to the Shaver family? It seems that we are the victims for trying to live by the law and the codes of Baltimore County and also trying to protect our property. It seems as though the only concern of the Zoning Commissioner's office is to keep the Shiflett family happy regardless of the law or the building codes.

Again, speaking of hardships, what about the case of the Louis Parro family of 2622 Ambler Road? The county made them tear down the patio they had started and stay 5 feet away from the property line. Yet, in the case of the Jack Shiflett family you are going to allow them to build within 2 feet of the property line. It does not seem as though the laws and codes of Baltimore County are fair or equal.

There are many who can improve their home only strictly by the code. The Jack Shifletts are not one of them.

At the hearing it was brought out that Mr. Shaver works shift work; but this seemed to be of little interest to anyone. Mr. Shiflett's attorney stated that if we talked to the Shiflett family that they would keep the noise down when Mr. Shaver was trying to sleep. This has not been the case in

the past. One of the stepsons, who does not live there, keeps his motorcycle parked on the patio outside our bedroom window. This summer when he was asked to please work on his motorcycle somewhere else in the yard because Mr. Shaver was sleeping after working midnight shift, he refused and kept starting and stopping the motorcycle. This should be an indication of how hard they are to deal with. They will not listen to anything that we suggest to try to get along.

Mr. Shiflett stated that he would spend some money to get his addition built -- it looks like money talks.

We try to be good citizens - we vote, pay taxes and live by the law. I served on the jury last year. I can see what happened in our case.

An erroneous statement was made by Mr. Shiflett at the hearing. He stated there was an alley between my neighbors on the east side and our property. This is not true. If you will check your plots you will see that there is no alley. This was only one of many deceptions at the hearing.

It is really sad when a person pays high taxes like we do and cannot get justice.

What good are laws and codes? If a person wants to get around then all they have to do is post a sign, pay a few dollars and get what they want at the expense of everyone in the neighborhood.

I have been advised not to waste any more money appealing this case; it seems money has already spoken. The ruling would not be overturned with several appeals since it is obvious what has happened.

MR. AND MRS.
WILLIAM L. SHAVER

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Jack D. Shiflett and
Mary E. Shiflett, legal owner, 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 1802.3B, to permit a side yard setback of two (2) feet in lieu of the required ~~seven (7) feet~~ seven (7) feet.

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

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser
Address 7622 Parkwood Road
Baltimore, Maryland 21222
Petitioner's Attorney
Robert J. Romadka
809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of August, 1974, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County on the 17th day of September, 1974, at 10:30 o'clock.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 23, 1974
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-67-A, Northeast corner of Parkwood and Ambler Roads.

Petition for Variance for a Side Yard.
Petitioners - Jack D. Shiflett and Mary E. Shiflett

12th District

HEARING: Tuesday, September 17, 1974 (10:30 A.M.)

The staff of the Office of Planning and Zoning has no comment to offer on this request at this time.

William D. Fromm
Director of Planning

WDF:NEG:rw

RE: PETITION FOR VARIANCE
NE/corner of Parkwood and Ambler
Roads - 12th District
Jack D. Shiflett - Petitioner
NO. 75-67-A (Item No. 22)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request to reduce the side yard setback on a property situated at the northeast corner of Parkwood and Ambler Roads in the Twelfth Election District of Baltimore County.

Testimony and evidence presented in this case established that the subject property is improved with a one and one-half story bungalow. A swimming pool has been constructed in the rear and a concrete patio on the side, over which the proposed roof would extend. The patio has been bordered with a decorative one and one-half foot brick wall that also serves to control and direct rain water run-off to an existing underground drainage system installed by the Petitioner. If granted, the Variance would permit the roof, which is to be opened on three sides, to extend within two feet of the side property line.

Said testimony and evidence, in the form of pictures, also established that several patio and/or carport roofs similar to the one proposed have been constructed within one and one-half blocks of the subject site. As many as twenty such roofs were described as having been constructed within approximately one mile of the Petitioner's home.

Adjoining residents, whose bedrooms face the side adjacent to the proposed roof, objected to the granting of the Variance on the basis of a possible fire hazard, and more extensive use of the patio area.

Considering the fact that so many similar improvements exist in close proximity to the Petitioner's property and that the proposed open roof, which would only provide protection and comfort to an existing outdoor living area, denial of the permit would, in the opinion of the Deputy Zoning Commissioner,

place a hardship on the Petitioner. Insofar as the fire hazard is concerned, the Baltimore County Building Code requires that all construction within close proximity of an adjoining property lines, be of fire resistant materials so as to afford protection to the adjoining properties.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 28th day of October, 1974, that the herein requested Variance to permit a side yard setback of two feet instead of the required seven feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works, Fire Prevention Bureau of the Baltimore County Fire Department and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

Beginning at a point at the Northeast corner of Parkwood and Ambler Roads, and being Lot No. 31, Block "D", of the plat of Lynbrook, recorded amongst the Land Records of Baltimore County in Liber 16 folio 98.

Also known as #7622 Parkwood Road.

Baltimore County, Maryland Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Branch of Engineering
ELLENWORTH H. DYER, P. E. CHIEF

August 19, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #22 (1974-1975)
Property Owners: Jack D. & Mary E. Shiflett
N/S of Parkwood Rd. & E/S of Ambler Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3B to permit a side yard setback of 2' in lieu of the required 10'
No. of Acres: 120.12' x 66.12' District: 12th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #22 (1974-1975).

Very truly yours,

Ellenworth H. Dyer, Chief
Chief, Bureau of Engineering

END/ENR:WDF

8-20 Key Sheet
8 SE 23 Pos. Sheet
SE 2 F Topo
103 Tax Map

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

#75-67-A

District: 12th Date of Posting: 8/22/74
Posted for: Hearing Friday, Sept 27, 1974, 10:30 A.M.
Petitioner: Jack D. Shiflett
Location of property: NE/corner of Parkwood & Ambler Rds.
Location of Signs: 1 shown - posted on N.W. corner of Parkwood & Ambler Rds.
Remarks:
Posted by: Ellen H. Dyer Date of return: 8/24/74

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Variance
NE/corner of Parkwood and Ambler
Roads - 12th District
Jack D. Shiflett - Petitioner
NO. 75-67-A (Item No. 22)

Dear Mr. Romadka:

I have this date passed my Order in the above captioned matter in accordance with the attached.

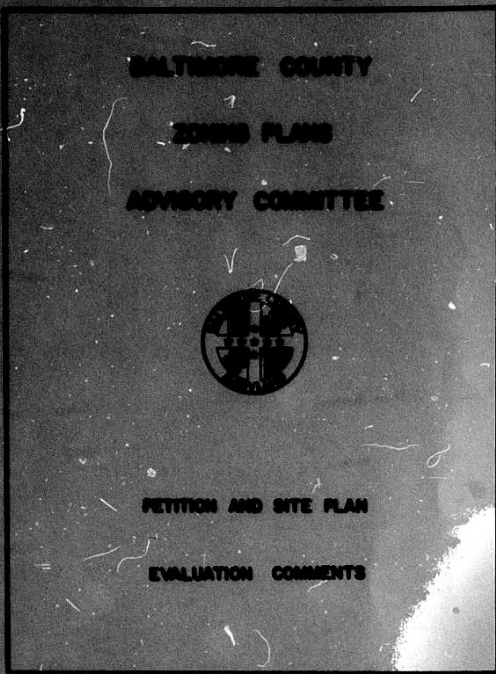
Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: Claude L. Callegary, Esquire
413 St. Paul Place
Baltimore, Maryland 21202



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Form 22
Robert J. Romadka, Esq. County Office Building
809 Eastern Boulevard 111 W. Chesapeake Avenue
Baltimore, Maryland 21221 Towson, Maryland 21204

Your Petition has been received and accepted
for filing this 18th day of August 1974.

Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Jack D. & Mary E. Shiflett
Petitioner's Attorney Robert J. Romadka Reviewed by *James B. Byrne, III*
Chairman, Zoning Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
August 15, 1974

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

JAMES B. BYRNE, III
Chairman

MEMBER
ZONING ADVISORY COMMITTEE
HEALTH DEPARTMENT
BUREAU OF
FIRE PREVENTION
DEPARTMENT OF
TOWNSHIP ENGINEERING
STATE HIGHWAY
ADMINISTRATION
BUREAU OF
ENGINEERING
PROJECT AND
DEVELOPMENT PLANNING
TECHNICAL
DEVELOPMENT
CONSTRUCTION
BOARD OF EDUCATION
OFFICE OF THE
BUILDINGS ENGINEER

RE: Variance Petition
Item 22
Jack D. & Mary E. Shiflett -
Petitioners

Dear Mr. Romadka:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located at the northeast corner of Parkwood and Amber Roads, in the 12th Election District of Baltimore County. It is presently improved with a 1-1/2 story frame dwelling.

The Gray Manor Elementary School property exists opposite the site on Parkwood Road. Residential structures, similar to the subject structure, surround the property on the remaining three sides.

The petitioner is requesting a Variance to permit a side yard setback of 2 feet instead of the required 7 feet, and proposes an addition to the side of the existing structure.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the

Robert J. Romadka, Esq.
Re: Item 22
Page 2

August 15, 1974

hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
James B. Byrne, III
JAMES B. BYRNE, III
Chairman,
Zoning Advisory Committee

JBB:JD
Enclosure

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

August 9, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 22, Zoning Advisory Committee Meeting, July 23, 1974, are as follows:

Property Owner: Jack D. & Mary E. Shiflett
Location: N/S of Parkwood Road, & E/S of Ambler Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.38 to permit a side yard setback of 2' in lieu of the required 10'.
No. of Acres: 120.12' x 65.12'
District: 12th

Comments: Metropolitan water and sewer are available.

Very truly yours,
Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

DNVS/nc

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER

August 6, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #22, Zoning Advisory Committee Meeting, July 23, 1974, are as follows:

Property Owner: Jack D. and Mary E. Shiflett
Location: N/S of Parkwood Road, and E/S of Ambler Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.38 to permit a side yard setback of 2' in lieu of the required 10'.
No. of Acres: 120.12' x 64.12'
District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,
John L. Wibley
John L. Wibley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 109 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 492-3311 ZONING 486-3381

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204
Date: July 29, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Item 22 Z.A.C. Meeting of: July 23, 1974

Property Owners: Jack D. & Mary E. Shiflett

Location: N/S of Parkwood Road, & E/S of Ambler Road

Present Zoning: D.R. 5.5

Proposed Zoning: Variance from Section 1802.38 to permit a side yard setback of 2' in lieu of the required 10'.

District: 12th
No. Acres: 120.12' x 65.12'

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Peterson
W. Nick Peterson
Field Representative

WNP/hl

M. EMILIE PARKER, PRESIDENT
EUGENE C. HESS, VICE PRESIDENT
HED. ROBERT L. DENNEY
MARCUS W. WOTRABIS
JOSEPH M. W. WOTRABIS
ALVIN LOWREY
T. EDWARDS WILSON, JR.
RICHARD W. TRACY, JR.
MRS. RICHARD W. TRACY, JR.

