

176 80-234-A 176 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Thomas Edward Jeffries Jr., 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 1102-3.1 of the Zoning Ordinance to permit a side setback of 2' 9" in lieu of the required 10'.

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

The variance is wanted for the installation of a greenhouse. I want to put it on the side of the house for 17' 10" long and 8' 3" wide. I want to put it on the side of the house for conservation of fuel. To heat the greenhouse I would be able to use the heat from the house and this would save approx. 15,000 over a free standing model which I would have to place a furnace in the back yard. Also I would be able to use the concrete of the house wall as a solar collector, by painting it black.

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 Thomas E. Jeffries Jr.
Address 7701 Fairgreen Rd. 21222
Petitioner's Attorney 288-1813
Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ March 1980 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ 15th day of _____ May 1980 at _____ o'clock

_____, A.M.
Zoning Commissioner of Baltimore County.

(over)

5/15/80
9:45 A.M.

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 6, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Planning Administration
Industrial Development

Mr. & Mrs. Thomas Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

RE: Item No. 176
Petitioners-Thomas Jeffries, et ux
Variance Petition

Dear Mr. & Mrs. Jeffries:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

Because of your proposal to raze an existing greenhouse and construct a new one attached to the side of the existing dwelling, this Variance hearing is required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk
Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

March 31, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #176 (1979-1980)
Property Owner: Thomas E. & Evelyn M. Jeffries
N/S Fairgreen Rd. 65' E Louth Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154 District: 12th

Dear Mr. Hammond:

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 highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

As indicated, there is a 10-foot utility easement centered upon the westerly side property lines of this Lot 13, Block 1, Plat No. 7, Dundalk, recorded C.H.K. 13, Folio 23.

The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way and utility easements.

This office has no further comment to add to the plan submitted for Zoning Advisory Committee review in connection with this Item 176 (1979-1980).

Very truly yours,

William N. Diver, P.E.
WILLIAM N. DIVER, P.E.
Chief, Bureau of Engineering

END:HAM:PWR:s
cc: J. Wimbley



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #176, Zoning Advisory Committee Meeting, March 4, 1980, are as follows:

Property Owner: Thomas E. & Evelyn M. Jeffries
Location: N/S Fairgreen Road 65' E Louth Road
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154
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. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

March 24, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #176, Zoning Advisory Committee meeting of March 4, 1980, are as follows:

Property Owner: Thomas E. & Evelyn M. Jeffries
Location: N/S Fairgreen Road 65' E Louth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154
District: 12

Metropolitan water and sewer exist, therefore, the proposed greenhouse should not pose any health hazards.

Very truly yours,

Ian J. Forrest
IAN J. FORREST, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

March 20, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Thomas E. & Evelyn M. Jeffries

Location: N/S Fairgreen Rd. 65' E Louth Rd.
Item No: 176 Zoning Agenda: Meeting of 3/4/80

Gentlemen:

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

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *George M. Hagan* 3/24/80 Noted and Approved: *George M. Hagan*
Planning Group Fire Prevention Bureau
Special Inspection Division



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED CALDWELL JR.
DIRECTOR

April 1, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #176 Zoning Advisory Committee Meeting, March 4, 1980 are as follows:

Property Owner: Thomas E. & Evelyn M. Jeffries
Location: N/S Fairgreen Road 65' E Louth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154
District: 12th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, other applicable Codes.
- B. A building/ _____ permit shall be required before beginning construction.
- C. Incidental: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above a structure, please have the owner, then the services of a Registered Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X I. Comments: Unless the east wall is of non combustible materials (glass-metal) it shall be of a one hour fire rating.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room 2122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

(CB:rr)

ORDER RECEIVED FOR FILING
DATE June 13, 1980
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing of the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, . . .

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of June, 1980, that the herein Petition for the Variance(s) to permit a side yard setback of 2 feet 9 inches in lieu of the required 10 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jan M. H. Jung
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE : BEFORE
from Sec. 1802.3.C.1 to permit :
a side yard setback of 2' 9" in : COUNTY BOARD OF APPEALS
lieu of the required 10' :
N/S of Fairgreen Road, 65' E of : OF
Louth Road : BALTIMORE COUNTY
12th District :
THOMAS E. JEFFRIES, JR., et ux, : No. 80-234-A
Petitioners :

OPINION

This case comes to the Board on appeal from a decision of the Deputy Zoning Commissioner granting a variance for the construction of the greenhouse on the side yard of the Petitioner, Thomas E. Jeffries, Jr. The property is located in a residential neighborhood of small cottages, each of which has 11 1/2 ft. to the fence between neighbors from the main building structure. The Protestants live next door and the proposed greenhouse would come within 2' 9" of their property line.

Petitioner, Thomas E. Jeffries, Jr., testified that he had an existing greenhouse on the east side of his building for many years, but that it was deteriorating, and he wished to construct an aluminum and glass prefabricated structure which would bring the footing of the greenhouse to within the variance indicated. He testified that he could not locate the greenhouse on either the west side of his house, because of the Baltimore County Utility easement, nor on the rear and north side of his home, because of an existing swimming pool. He further testified that the greenhouse should be attached to his existing dwelling because of the proximity of heat and electricity for the greenhouse. Petitioner also introduced many photographs of the neighborhood, indicating that a great many of the neighboring properties had additions in their side yards which were accomplished either through variance or perhaps were constructed prior to Baltimore County Zoning Regulations.

The Protestants and next door neighbors complained about building the structure opposite their home, but remarkably did not object to the existing illegal greenhouse which sits toward the rear of the proposed structure. This was so in spite of the poor condition of the existing greenhouse primarily in that it was away from their existing bed-

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 3, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 4, 1980

RE: Item No: 172, 173, 174, 175, 176
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/bp

Thomas E. Jeffries, Jr., et ux
Case No. 80-234-A

2.

room windows. The Board discounts many of the peripheral arguments made by both the Protestants and the Petitioners regarding allergies of the Protestants' daughter, odors from the existing greenhouse, placement of trash cans, etc. In the Board's view, the issue is to be determined on the requirements of Section 307 of the Baltimore County Zoning Regulations, which requires, "The Board is given power to grant variances from height and area regulations . . . only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship." The Protestants argue that Court of Appeals cases interpreting variance regulations as above, require that justification for a variance must be "substantial and urgent and not merely for the convenience of the applicant." See McLean vs. Soley, 270 Md. 208 (1973) The Petitioner testified that his request for a variance was primarily for his own convenience. However, the Board is satisfied that use of the words by a layman, such as "convenience", did not of themselves determine what the Board should decide on the basis of the review of all the evidence presented. The Board notes that in a more recent case of Anderson vs. Board of Appeals, town of Chesapeake Beach, 22 Md. App. 28 (1974) the Court notes that there is a lesser burden of proving practical difficulty and undue hardship in area variances as opposed to use variances. The court further provides the test that "to prove practical difficulty for an area variance, the following criteria must be met: 1. whether strict compliance with the 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 the applicant as well as other property owners in the district, or whether a lesser relaxation that that applied for would give substantial relief, 3. whether relief can be granted in such a fashion that the spirit of the ordinance will be observed, the public safety and welfare secured."

The Board finds that under the test provided in the Anderson case, the petition for variance should be granted with a proviso that the location of the greenhouse

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Fairgreen Rd., 65' :
E of Louth Rd., 12th District : OF BALTIMORE COUNTY
THOMAS EDWARD JEFFRIES, et ux, : Case No. 80-234-A
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Thomas E. Jeffries, 7701 Fairgreen Road, Baltimore, Maryland 21222, Petitioners.

John W. Hession, III
John W. Hession, III

Thomas E. Jeffries, Jr., et ux
Case No. 80-234-A

3.

should be essentially on the location of the present greenhouse and not located opposite the protestants existing dwelling, as proposed in the plat associated with the application for variance. In the words of the Anderson Court, the Board finds that this "lesser relaxation that applied for would give substantial relief to the property owner" while at the same time preserving for the protestants essentially the same conditions, albeit, with an improved greenhouse structure that they presently have said was acceptable to them. The Board notes that from the testimony presented, the petitioner could well have indicated building the greenhouse on the northern rear portion of his property and have avoided the issue of a variance altogether. The Board, however, agrees with the petitioner that this is not a feasible location for a greenhouse, in that it would be located on the northern end of the existing building, which would severely limit its usefulness as either a heat collector or a place to grow plants year round.

For this reason, the Board will confirm the Deputy Zoning Commissioner's granting of the variance, subject to the submission of a suitable site plan with the exception that the greenhouse is to be located as indicated on the file plat accompanying the petition for zoning variance at the location of the existing greenhouse and not at the proposed location.

ORDER

For the reasons set forth in the foregoing Opinion, the Board will affirm the Order of the Deputy Zoning Commissioner; therefore, it is this 2nd day of June, 1981, by the County Board of Appeals, ORDERED that the variance petitioned for be and the same is hereby GRANTED, subject to the submission of a suitable site plan as indicated in the last paragraph of the Opinion in this case.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Fairgreen Rd., 65' :
E of Louth Rd., 12th District : OF BALTIMORE COUNTY
THOMAS E. JEFFRIES, JR., et ux : Case No. 80-234-A (Item 176)
Petitioners :

ORDER FOR APPEAL

Mr. Commissioners:

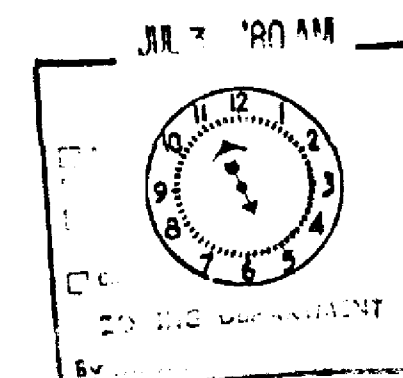
Please note an appeal from the decision of the Deputy Zoning Commissioner in the above-entitled matter, under date of June 13, 1980, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of July, 1980, a copy of the foregoing Order for Appeal was mailed to Mr. and Mrs. Thomas E. Jeffries, Jr., 7701 Fairgreen Road, Dundalk, Maryland 21222, Petitioners; and Mr. Paul J. Dillon, 7703 Fairgreen Road, Dundalk, Maryland 21222, Protestants.

John W. Hession, III
John W. Hession, III



Thomas E. Jeffries, Jr., et ux
Case No. 80-234-A

4.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John V. Murphy
John V. Murphy, Acting Chairman

Leroy B. Spurrer
Leroy B. Spurrer

Patricia Phipps
Patricia Phipps

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

Feb. 10, 1981

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-234-A

THOMAS E. JEFFRIES, JR., et ux

Variance to permit a side yard setback
of 2'9" in lieu of the required 10'

N/S of Fairgreen Rd., 65' E of Louth Road

12th District

6/13/80 - D.Z.C. (J. Jung) GRANTED
variance subject to approval of site plan

The above case, scheduled for hearing on Thursday, March 12, 1981, at 10:30 a.m.

has been POSTPONED by the Board at the request of Counsel for the Protestants, and

REASSIGNED FOR: TUESDAY, MAY 26, 1981, at 10 a.m.

cc: Mr. and Mrs. T. E. Jeffries, Jr. Petitioners

Mr. and Mrs. Paul Dillon

Protestants

Kenneth J. MacFadyen, Esq.

Counsel for Protestants

J. Michael Lawlor, Esq.

" " "

John W. Hession, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

" "

J. Jung

" "

June Holmen, Secy.

April 16, 1980

Mr. & Mrs. Thomas E. Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

NOTICE OF HEARING

RE: Petition for Variance - N/S Fairgreen Rd., 65' E Louth Road
Case No. 80-234-A

TIME: 9:15 A.M.

DATE: Thursday, May 15, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

CLARENCE D. LONG
2000 RAYMOND BUILDING
WASHINGTON, D.C. 20519
(202) 222-3041
CHAIRMAN:
SUBCOMMITTEE ON
FOREIGN OPERATIONS
MEMBER:
SUBCOMMITTEE ON
INTERIOR
MILITARY CONSTRUCTION

THOMAS EDWARD JEFFRIES
80-234-A
DZE granted 6-13-80
Congress of the United States
House of Representatives
Washington, D.C. 20515

PLEASE REPLY TO
DISTRICT OFFICE

July 22, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

I am writing on behalf of Mr. and Mrs. Paul J. Dillon, 7703 Fairgreen Road, Baltimore, Maryland 21222.

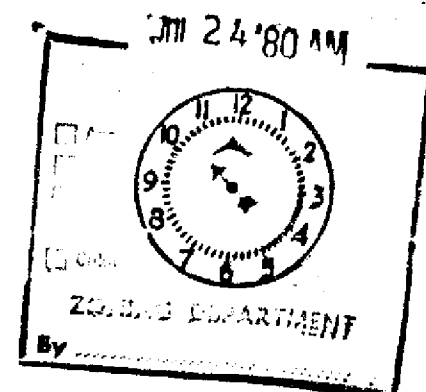
Mr. and Mrs. Dillon have been in touch with me concerning a zoning variance granted to their next door neighbor, Mr. Jeffries (7701 Fairgreen Road), in order that he may construct a new green house without the required 10 foot setback. The Dillons are quite upset about this decision for several reasons outlined in the enclosed correspondence. Aside from the setback requirement, it would appear that there are also problems with drainage, this new building being separate from the Jeffries existing house, and the possibility that Mr. Jeffries is carrying on a business in this residential area.

I should appreciate your further consideration of this situation, and letting me know how the Dillon's queries can be answered and what recourse they have at this time.

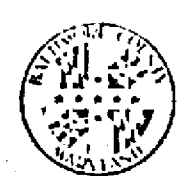
Warm regards,

CLARENCE D. LONG

CDL:cw
Enclosure
cc: Mr. and Mrs. Dillon



THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS



BALTIMORE COUNTY ZONING
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 1, 1980

Mr. & Mrs. Thomas E. Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

RE: Petition for Variance
N/S Fairgreen Road, 65' E of
Louth Road
Case No. 80-234-A

Dear Mr. & Mrs. Jeffries:

This is to advise you that \$45.25 is due for
advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and
remit to Sondra Jones, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEL:sj

PETITION FOR VARIANCE

12th District

ZONING: Petition for Variance for side yard setback

LOCATION: North side of Fairgreen Road, 65 feet East of Louth Road

DATE & TIME: Thursday, May 15, 1980 at 9:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard
setback of 2 feet 9 inches in lieu of the
required 10 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.C.1 - side yard setbacks

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Thomas Edward Jeffries, Jr., et ux, as shown on plat plan
filed with the Zoning Department

Hearing Date: Thursday, May 15, 1980 at 9:15 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY



baltime county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3559

STEPHENE COLLINS
DIRECTOR

May 6, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment
on Items #174, 175 and 176 with regard to the Zoning Advisory Committee
Meeting of March 4, 1980.

Very truly yours,

Michael S. Planigan
Engineer Associate II

MSF/bza

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond

Zoning Commissioner

TO: John D. Seyffert, Director

FROM: Office of Planning and Zoning

SUBJECT: Petition No. 80-234-A Item 176

Date: April 22, 1980

Petition for Variance for side yard setback
North side of Fairgreen Road, 65 feet East of Louth Road
Petitioner - Thomas Edward Jeffries, Jr., et ux

Twelfth District

HEARING: Thursday, May 15, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:ob

June 27, 1980

Mr. William Hammond
Zoning Comm.

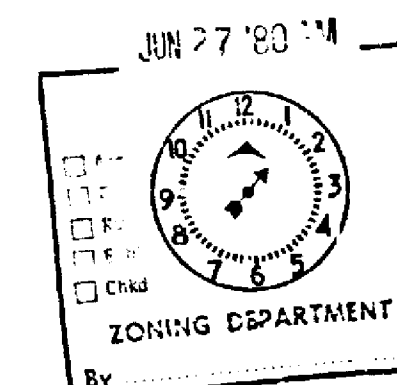
Thomas E. Jeffries Jr.
80-234-A (Item #176)

Dear Mr. Hammond,
Please find enclosed my check for \$40.00
for the appeal of the above captioned matter

P.J. Dillon
7703 Fairgreen Rd.
Baltimore, Md.

21222

Phone 282-7450



80-234-A
Granted

June 13, 1980

Mr. & Mrs. Thomas E. Jeffries, Jr.
7701 Fairgreen Road
Dundalk, Maryland 21222

RE: Petition for Variance
N/S of Fairgreen Rd., 65' E of Louth Rd. -
12th Election District
Thomas E. Jeffries, Jr., et ux -
Petitioners
NO. 80-234-A (Item No. 176)

Dear Mr. & Mrs. Jeffries:

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

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Paul J. Dillon
Room 219, Court House
Dundalk, Maryland 21222

John W. Hessian, III, Esquire
People's Counsel

Description for Variance
7701 Fairgreen Road
Located on the north side of Fairgreen Rd. Appx 65' east of Louth Rd. and known as
lot # 13 abt on Plot 7, Dundalk and recorded among land records of Baltimore
County in Liber 13, Page 22.

LAW OFFICES
Friedman, Glorioso, Cohen & MacFadyen, P.A.

ALVIN E. FRIEDMAN
VINCENT L. GLORIOSO
J. ALLAN COHEN
KENNETH J. MACFADYEN
MICHAEL G. RINN
MARK H. FRIEDMAN

EIGHTH FLOOR - INA BUILDING
303 EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202

(301) 685-1763
CABLE ADDRESS: FANG

SAMUEL S. LEVIN
(897-1979)

ANNAPOLIS OFFICE
113 CATHEDRAL STREET
ANNAPOLIS, MD 21401
(301) 266-6765

June 12, 1981

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

RE: Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

Gentlemen:

I am in receipt of your Opinion and thought that at least for the record, in view of the fact this matter will probably go further, that I would ask for clarity as to its meaning, in view of the fact that it seems certain findings of fact may be inconsistent with what the Board believes the protestants' view of the situation is. In the first instance, the existing greenhouse is not away from the existing bedroom windows, but directly across from the bedroom windows, and in the second instance, the existing greenhouse is in no way acceptable to the protestants. If we understand your Order correctly, the greenhouse is to be installed along the side of the petitioners' house, and the proposed site is precisely the site of the existing greenhouse, which is not agreeable to the protestants.

Very truly yours,

Friedman, Glorioso, Cohen & MacFadyen, P.A.

Kenneth J. MacFadyen
Kenneth J. MacFadyen

KJM/cab

cc: Mr. and Mrs. Paul Dillon
7703 Fairgreen Road
Baltimore, Maryland 21222

Dictated but not read

LAW OFFICES
Friedman, Glorioso, Cohen & MacFadyen, P.A.

ALVIN E. FRIEDMAN
VINCENT L. GLORIOSO
J. ALLAN COHEN
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June 12, 1981

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

RE: Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

Gentlemen:

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Very truly yours,

Friedman, Glorioso, Cohen & MacFadyen, P.A.

Kenneth J. MacFadyen
Kenneth J. MacFadyen

KJM/cab

cc: Mr. and Mrs. Paul Dillon
7703 Fairgreen Road
Baltimore, Maryland 21222

Dictated but not read

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
June 18, 1981

Kenneth J. MacFadyen, Esq.
Eighth Floor - INA Building
303 E. Fayette St.
Baltimore, Md. 21202

Dear Mr. MacFadyen:

Re: Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

In response to your letter of June 12, 1981, please be advised that the Board, after having listened to all the testimony and reviewing the evidence presented to it, made a decision to grant the Petitioner's request for a special exception for the greenhouse and further decided to grant that exception on the west side of Petitioner's house. Our own decision then was whether to grant the greenhouse in exactly the location as proposed by the Petitioner or to see if we could find some less objectionable location along the west side of Petitioner's house. I believe by our Opinion you can see we attempted to accommodate your client's use as much as we could, consistent with our basic decision, in that it was our recollection that your client stated that the present greenhouse, although illegal, was acceptable. That is why our Order reflects that the greenhouse is to be installed along the side of the Petitioner's house and the proposed site is precisely the site of the existing house.

I regret that your clients do not find the Board's decision agreeable, but can only state that the Board believes that this was the most equitable decision that it had available to it.

Thank you very much for your letter.

Yours very truly,

John V. Murphy
John V. Murphy, Acting Chairman
County Board of Appeals

Mh

1/8/81 - Notified the following of hearing scheduled for THURS., MARCH 12, 1981, at 10:30:

Mr. and Mrs. T. E. Jeffries, Jr.
Mr. Paul J. Dillon
J. W. Hessian, Esq.
J. E. Dyer
W. Hammond
J. Michael Lawlor, Esq.

2/18/81 - Notified the above of POSTPONEMENT and REASSIGNMENT for Tues., May 26, 1981, at 10 a.m.
(plus Mr. MacFadyen, Esq.)

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
June 2, 1981

Mr. Paul J. Dillon
7703 Fairgreen Road
Dundalk, Maryland 21222

Dear Mr. Dillon:

Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

John Holmen
John Holmen, Secretary

Encl.
cc: John W. Hessian, III, Esq.
Mr. and Mrs. Thomas Jeffries, Jr.
J. Michael Lawlor, Esq.
Kenneth J. MacFadyen, Esq.
J. E. Dyer
W. Hammond
J. Jung
P. Zimmerman
JH

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
April 28, 1981

Mr. Carmen D. Dematteo, Sr.
Department of Permits and Licenses

and

Mr. Frank Gunther
Department of Permits and Licenses

Re: Case No. 80-234-A
Thomas E. Jeffries
Set for hearing on May 26, 1981 at 10 a.m.

The Petitioner in the above referenced case has requested the Board to notify you that he requests your appearance at the hearing of this case.

William T. Hackett
William T. Hackett, Acting Chairman

LAW OFFICES
Friedman, Glorioso, Cohen & MacFadyen, P.A.

EIGHTH FLOOR — INA BUILDING
303 EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202

ADVIN E. FRIEDMAN
VINCENT L. GLORIOSO
J. ALLAN COHEN
KENNETH J. MACFADYEN
MICHAEL G. RINN
MARK H. FRIEDMAN

SAMUEL S. LEVIN
(1957-1979)
TELEPHONE 685-1763
AREA CODE 301
CABLE ADDRESS: FANG

February 16, 1981

County Board of Appeals
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Petition for Variance
N/S of Fairgreen Road
65' E of Louth Road
12th Election District
Thomas E. Jeffries, Jr., et ux -
Petitioners
No. 80-234-A (Item No. 176)

Gentlemen:

Please be advised this office has been retained to represent the interests of Mr. and Mrs. Paul Dillon, 7703 Fairgreen Road, Baltimore, Maryland, 21222, in connection with the above matter. The Appeal is presently set for hearing before you on March 12th, and at the present time, I have scheduled in Cambridge the case of Insley vs J. I. Case and J. I. Case vs Insley. I also have scheduled on that day in Baltimore City, the case of Sinai Hospital vs. Smith. The Insley case is a case of long standing and will be tried before a jury, and I respectfully request a brief postponement to your next available date with respect to this matter.

Very truly yours,

Friedman, Glorioso, Cohen & MacFadyen, P.A.

Kenneth J. MacFadyen

KJM/cab

CC: Mr. and Mrs. Paul Dillon
7703 Fairgreen Road
Baltimore, Maryland 21222

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

January 8, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-234-A

THOMAS E. JEFFRIES, JR., et ux

Variance to permit a side yard setback of 2'9" in lieu of the required 10'

N/S of Fairgreen Rd., 65' E of Louth Road

12th District

6/13/80 - D.Z.C. (Jung) GRANTED
variance subject to approval of site plan

THURSDAY, MARCH 12, 1981, at 10:30 a.m.

ASSIGNED FOR:

cc: Mr. and Mrs. T. E. Jeffries, Jr.

Petitioners

Mr. Paul J. Dillon

Protestant

J. Michael Lawlor, Esq.

Counsel for Protestant

John W. Hessian, Esq.

People's Counsel

J. E. Dyer

Zoning Office

William Hammond

June Holmen, Secretary

LAW OFFICES
SINGER & LAWLOR
TEN EAST EAGER

BALTIMORE, MARYLAND 21202

MARVIN I. SINGER
J. MICHAEL LAWLOR

TELEPHONE
792-1122
685-1111
AREA CODE 301
COUNSEL
VERNON H. WIESAND

July 21, 1980

Baltimore County Board of Appeals
106 County Office Building
Towson, Maryland 21204

Re: Case Number 80-234-A
Petition of Thomas E. Jeffries, et ux
Side-yard Variance

Gentlemen:

The purpose of this letter is to enter my appearance in the above-captioned matter which has not yet been scheduled for a hearing, on behalf of my clients, Mr. and Mrs. James Dillon. It is my understanding that this matter is on appeal, the appeal having been filed by Jack Hessian, Esquire.

Please advise me of the date and time of the hearing.

Sincerely,

JML
J. Michael Lawlor

JML:k11

CC: Mr. & Mrs. James Dillon

*Mr. William Hammond
Zoning Comm.*

*Thomas E. Jeffries Jr.
80-234-A (Item #176)*

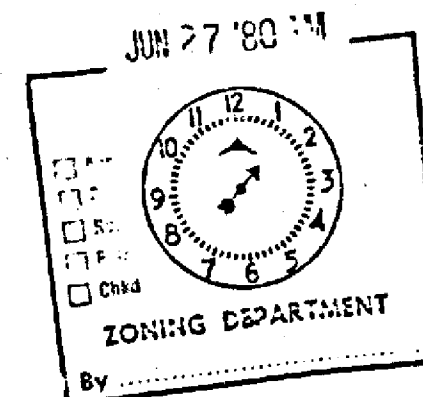
Dear Mr. Hammond;

*Please find enclosed my check for \$40.00
for the appeal of the above captioned matter*

*P.J. Dillon
7703 Fairgreen Rd.
Baltimore, Md.*

21222

Phone 282-7450



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

August 11, 1980

The Honorable Clarence D. Long
200 Post Office Building
Chesapeake and Washington Avenues
Towson, Maryland 21204

RE: Petition for Variance
N/S of Fairgreen Rd., 65' E of Louth
Rd. - 12th Election District
Thomas E. Jeffries, Jr., et ux -
Petitioners
NO. 80-234-A (Item No. 176)

Dear Mr. Long:

In response to your inquiry of July 22, 1980, please be advised that subsequent to posting and advertising, a public hearing was held on May 15, 1980, concerning the above referenced case. At this time, testimony was presented on behalf of the petitioner, Mr. Thomas E. Jeffries and the protestant, Mr. Paul J. Dillon. Based on the evidence presented, the variance was granted; however, the decision has subsequently been appealed by both Mr. Dillon and the People's Counsel, John W. Hessian, Esquire. As of this date, the Board of Appeals has not scheduled this case for hearing.

In the matter of the violation case, an inspection was conducted by Mr. James H. Thompson, Zoning Inspector, on June 11, 1980. Mr. Thompson's inspection revealed that the shed was in compliance with all provisions of Section 400.1 of the Baltimore County Zoning Regulations, which pertain to accessory structures and is inclusive of sheds. For this reason, the case was closed on July 2, 1980, and Mr. Dillon was formally advised of same.

Enclosed please find a copy of the Order for Variance for your review. If you have any further questions, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc
Enclosure

*To: Mr. William E. Hammond
Zoning Commissioner*

*I would like to have it known that
I, Paul J. Dillon & wife are Protestant to the;
80-234-A Thomas E. Jeffries Jr.; and I would
like receive any correspondence regarding this
case.*

*Rec'd 5-8-80
90-1046*

*Truly Yours
Paul J. Dillon
7703 Fairgreen Rd.
Baltimore, Md. 21222*

Mr. & Mrs. Paul J. Dillon
7703 Fairgreen Rd.
Baltimore Md. 21222

Dear Congressman Long,

We are asking for any assistances you may be able to give us in our problem at hand.

We bought our house April 23, 1980. It is a single home in Dundalk with breathing room, one of the big reasons we bought it.

Three days after we bought the property owner next door posted a sign. The information on that sign stated that Mr. & Mrs. Jeffries, Jr. 7701 Fairgreen Rd. were requesting a petition for Variance of a sideyard setback of 2' 9" in lieu of the required 10'. Hearing to be 5/15/80. #80-234-A (Item # 176)

We went to the hearing to protest. Deputy Zoning Commissioner Jean M. H. Jung heard the case.

Mr. Jeffries stated he wanted to replace an existing greenhouse with one 17' 1" long and 8' 3" wide. The reason for this is to observe plants grow and this is the only reason for the green house.

The objection we had was that he was placing it along side of the house in an area that by law requires he keep a 10' free space. That it would be at our bedroom windows, would be a nuisance, noise, lights, & sprays. Also the fact that our daughter has a severe allergy problem and is under doctors care.

We also stated we had no objection to the greenhouse placed in back of his house. Mr. Jeffries stated he wanted to put it along side of the house so he could use the heat from the house and the wall to heat it. He also used the statements of two neighbors that they did not object to it and these statements were allowed. We think this does not effect them because it will be in our bedroom window and not their bedroom window.

page 2

With this we were later told the Variance was passed.

We then contacted John O'Rourke about the problem and were told to see John Hessian, People's Counsel.

We did so and were told at first that there was no reason to appeal the case but after showing him pictures of the green house and the location he changed his mind and said it was their understanding that it was a built on type not a separate building set along side of the house, and that it may be under the wrong Variance, that the People's Counsel would appeal. We were also told we should file a separate appeal ourself just in case People's Counsel dropped out. This we did at a cost of \$40.00.

There is other problems caused here also. The proposed greenhouse would present a water run off that would drain to our side. The house is made of concrete set on the ground we already have a problem with water causing plaster to crack, the extra water from the runoff of the space taken up by the greenhouse would not be exceptable. It would also block off part of the air flow between the houses. At this time we would like to bring to light the fact that Mr. Jeffries has been selling plots from the old greenhouse and causing a problem with parking. The old greenhouse is now and has been in violation of the 10' setback free space but has been tolerated up to this point because it is small in size.

Mr. Jeffries also told us that "No matter what you do to try and prevent this Variance I will get it passed because I have influence on the board" at first we thought it was just talk but after the hearing it sure seems like he just might have, and if so then maybe it should be checked into. How did it ever pass in the first place.

The cost of an attorney to represent us in the appeal would cost \$250.00 which we do not have. We therefore are asking you to please help in any way you can.

*Very Truly Yours
Mr. & Mrs. Paul J. Dillon*

DUPLICATE CERTIFICATE OF PUBLICATION

TOWSON, MD. APR 12 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on successive days of the 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, and 1st day of May, 1980, the first publication appearing on the 12th day of April, 1980.

THE JEFFERSONIAN,
11 W. Chesapeake Avenue,
Towson, Maryland.

Cost of Advertisement, \$ 17.50

May 14, 1980

To whom it may concern,

It is my opinion that the greenhouse Mr. Jeffries plans to add on to his property will in no way affect our neighborhood adversely.

On the contrary, I see it to be a benefit since many of us plant small gardens and would appreciate the convenience of having such a place in close proximity to our homes. Thank you for your consideration,

Mrs. Stephen Maly
7700 Fairgreen Rd.
Dundalk, Md. 21222

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WES</u>	Revised Plans:					Change in outline or description				
Previous case: <u>---</u>	Ma # <u>---</u>					Yes <u>---</u> No <u>---</u>				

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WES</u>	Revised Plans:					Change in outline or description				
Previous case: <u>---</u>	Map # <u>---</u>					Yes <u>---</u> No <u>---</u>				

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12 Date of Posting 4/27/80

Posted for: Petition for Variance

Petitioner: Thomas Edward Jeffries, Jr. et al.

Location of property: 1215 Fairgreen Rd., 65' E. of South

Location of Signs: front of property (#7701 Fairgreen)

Remarks: 1 sign

Posted by: Sean Coleman Date of return: 5/12/80

Mr. & Mrs. Thomas Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 4th day of March, 1980.

Petitioner Thomas Jeffries, Jr. et al. Reviewed by Nicholas B. Commodari
Petitioner's Attorney --- Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 25th day of Feb., 1980.

Filing Fee \$ 25 Received: Check
Cash
Other

Petitioner JEFFRIES Submitted by W. E. Hammond
Petitioner's Attorney --- Reviewed by ---

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PLEASE HELP ME PREVENT FOREST FIRES!

THOMAS E. JEFFRIES
7701 FAIRGREEN RD.
BALTIMORE, MD.
21222

CASE #80-234-A

SIR: I WOULD LIKE FOR THE ZONING BOARD TO CALL MR. CARMEN D. DEMATTEO SR, BALT CO BUILDING INSP. AND FRANK GUTHRIE BALT. CO ETC. TO MY HEARING ON MAY 26TH AT 10:00 AM FOR CASE #80-234-A. AFTER TALKING TWO BOTH OF THEM, THEY SAID THEY WOULD COME IF CALLED, AND COULD TELL YOU THE MAKE UP OF THE BOARD AND BE OF HELP TO MY CASE. AS I HAVE NO ATTYS AND MR. DILLON DOES. I NEED BOTH TO HELP MY CASE.

Thank you
Thomas E. Jeffries

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 April 25, 1980

THIS IS TO CERTIFY, that the annexed advertisement of William E. Hammond, Zoning Commissioner of Balto County in matter of petition by Thos. E. Jeffries, Jr. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week 25th day of April, 1980; that is to say, the same was inserted in the issue of April 24, 1980

Kimbel Publication, Inc.
Publisher.

By Kimbel Publication, Inc.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 25th day of Feb., 1980.

Filing Fee \$ 25 Received: Check
Cash
Other

Petitioner JEFFRIES Submitted by W. E. Hammond
Petitioner's Attorney --- Reviewed by ---

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

9/5/80

Received a call from Mr. Jeffries as to whether or not the case was set for hearing and in the conversation he mentioned that Mr. Dillon, the Proponent, had filed the appeal through Mr. Hession. Also, this is mentioned in a letter received from J. Michael Lawler, Esq., when entering his appearance on behalf of Mr. Dillon.

I checked with Sandra Jones, who receives the appeals in the Zoning Office, and she advised that as far as their records are concerned there are two appeals in the case; one filed by Mr. Dillon and one filed by Mr. Hession, each one filed and paid for separately.

District 12

1215 Fairgreen Rd., 65' E. of South
Thomas E. Jeffries, Jr., et al.
1 SIGN

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 088817

DATE May 12, 1980 ACCOUNT 01-662

AMOUNT \$15.25

RECEIVED FROM Thomas E. Jeffries, Jr.
FOR Advertising and Posting for Case No. 80-234-A

45254

VALIDATION OR SIGNATURE OF CASHIER

No. 089630

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 2, 1980 ACCOUNT 01-662

AMOUNT \$10.00

RECEIVED FROM John V. Hession, III, Esquire
FOR Filing Fee for Appeal of Case No. 80-234-A

45254

VALIDATION OR SIGNATURE OF CASHIER

80-234-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12 Date of Posting 7/26/80

Posted for: Board of Appeals

Petitioner: Thomas E. Jeffries, Jr. et al.

Location of property: 1215 Fairgreen Rd., 65' E. of South

Location of Signs: front of property (#7701 Fairgreen)

Remarks: 1 sign

Posted by: Sean Coleman Date of return: 7/1/80

Number of Signs: 1

2/6/81 Mr. Jeffries anxious to have case heard. Therefore, if another request for postponement comes in, he would appreciate being notified of the reason for same before postponement is granted.

E

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 089617

DATE June 27, 1980 ACCOUNT 01-662

AMOUNT \$10.00

RECEIVED FROM Paul Dillon
FOR Filing Fee for Appeal of Case No. 80-234-A

45254

VALIDATION OR SIGNATURE OF CASHIER

No. 86397

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 16, 1980 ACCOUNT 01-662

AMOUNT \$25.00

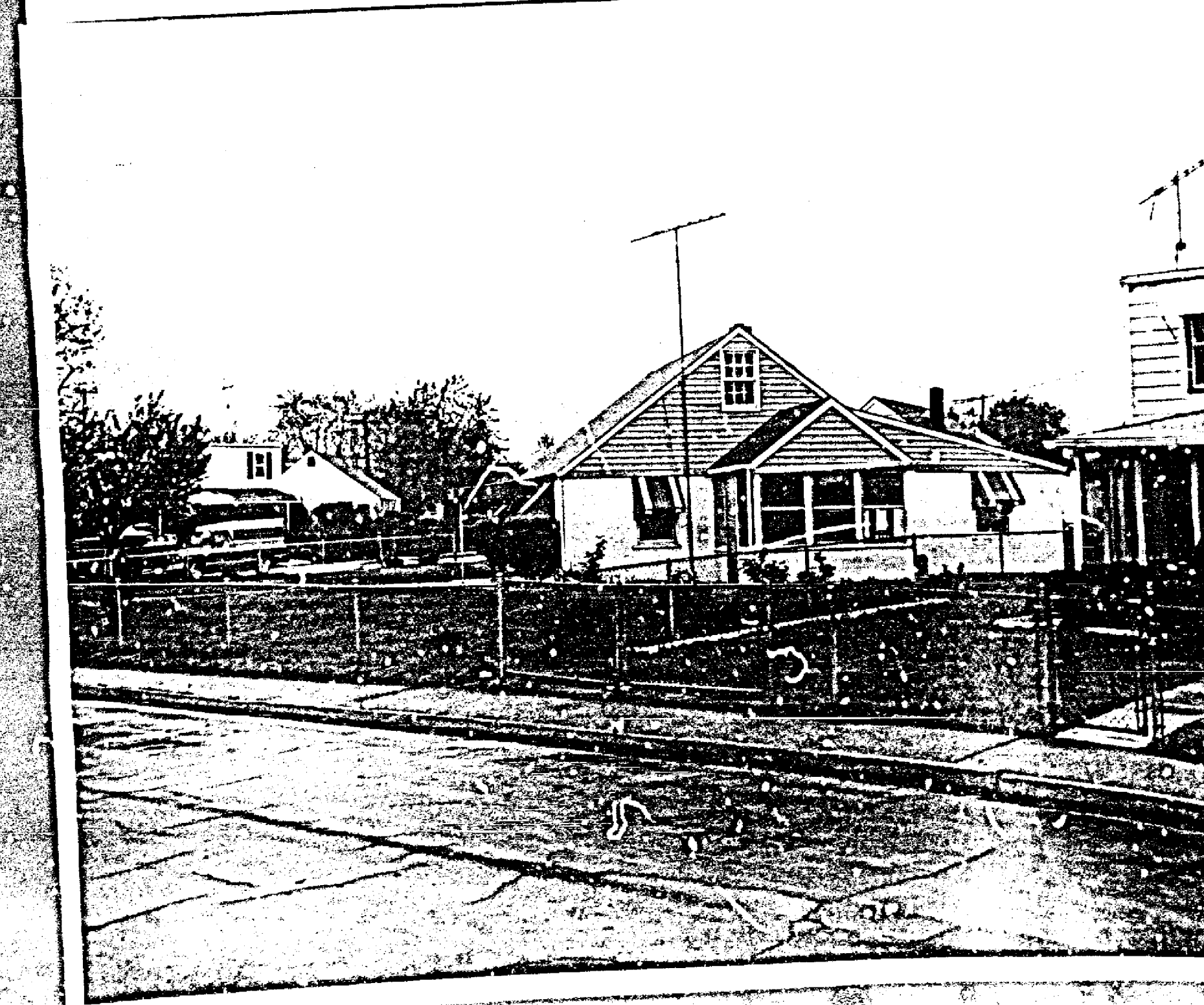
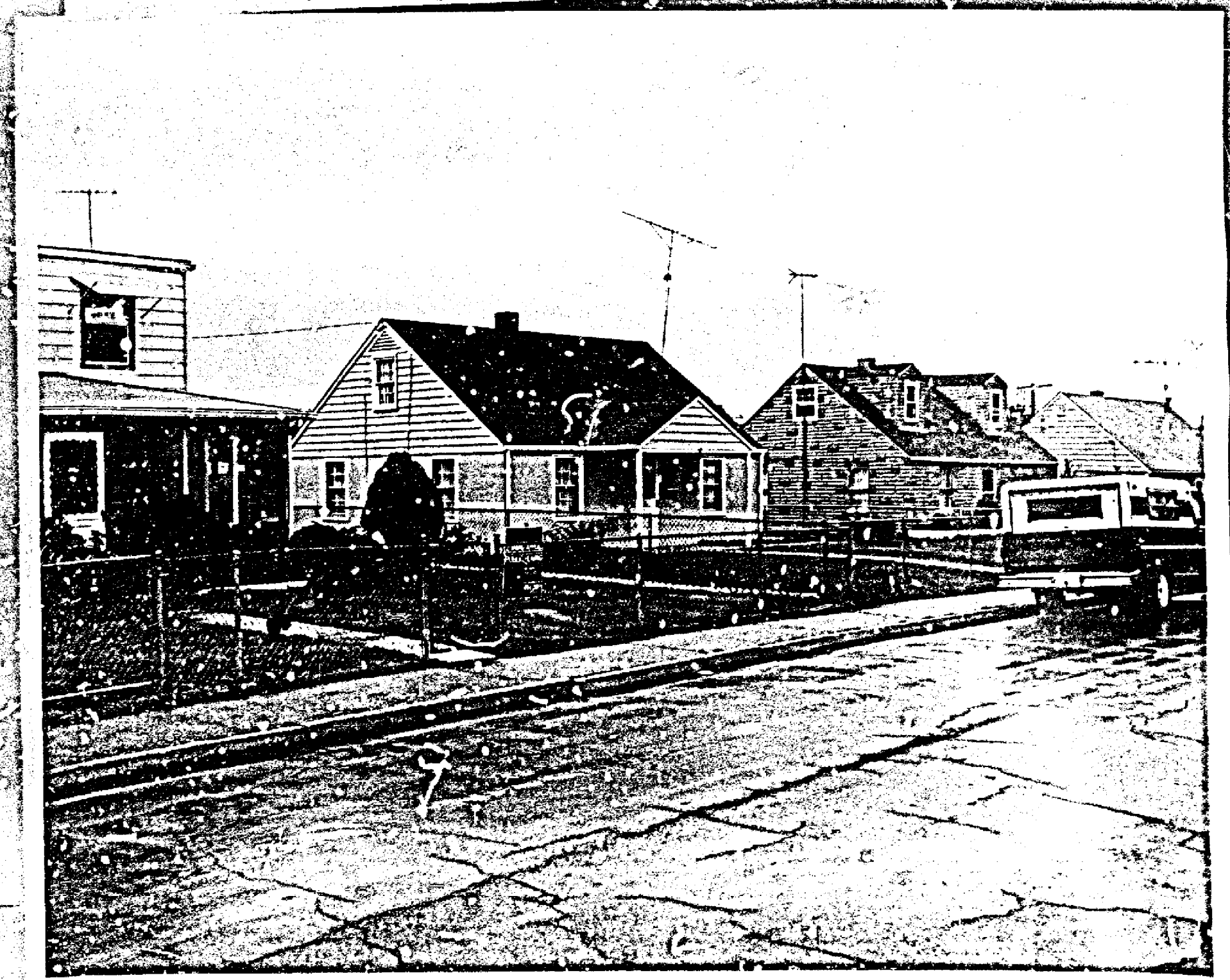
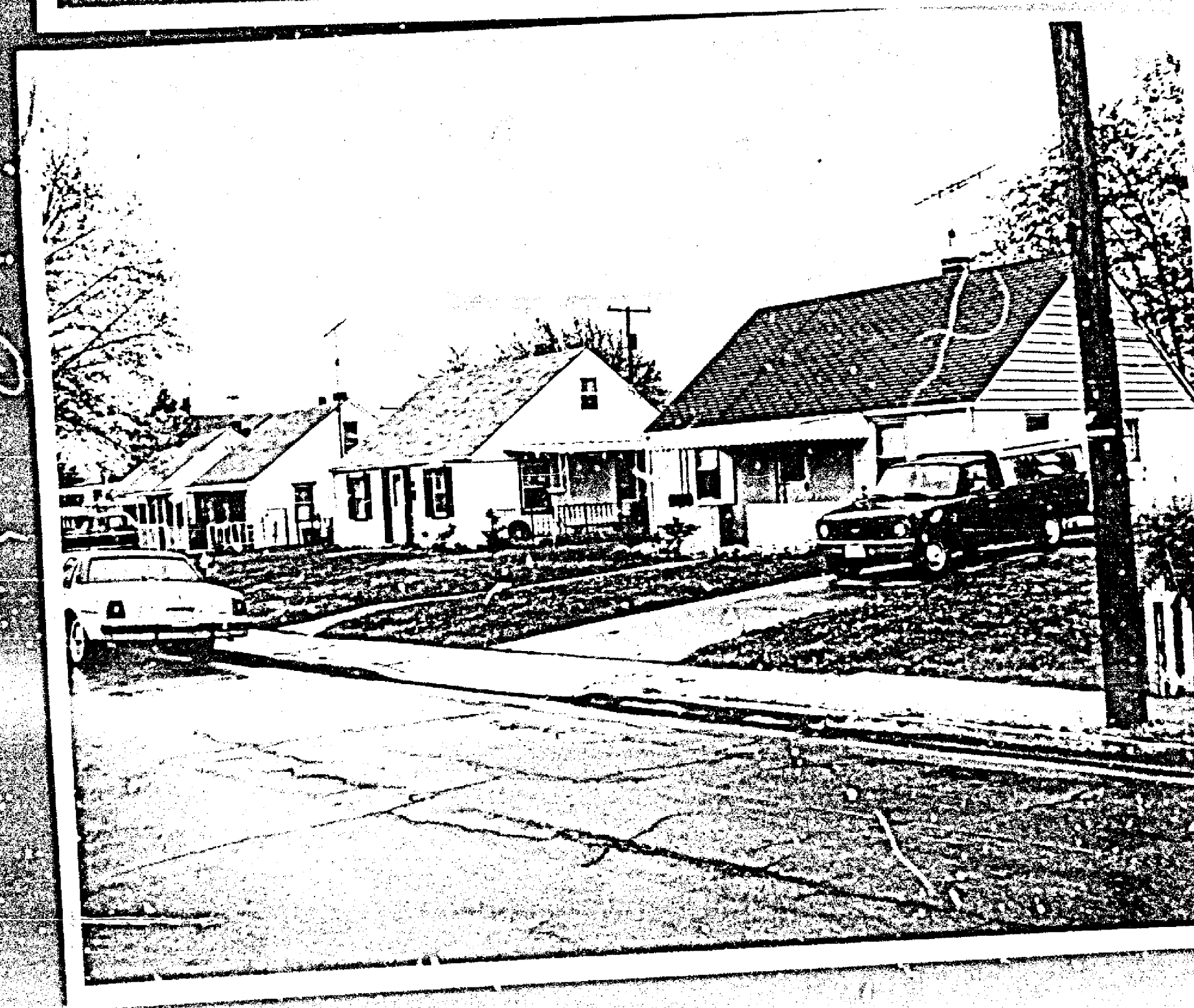
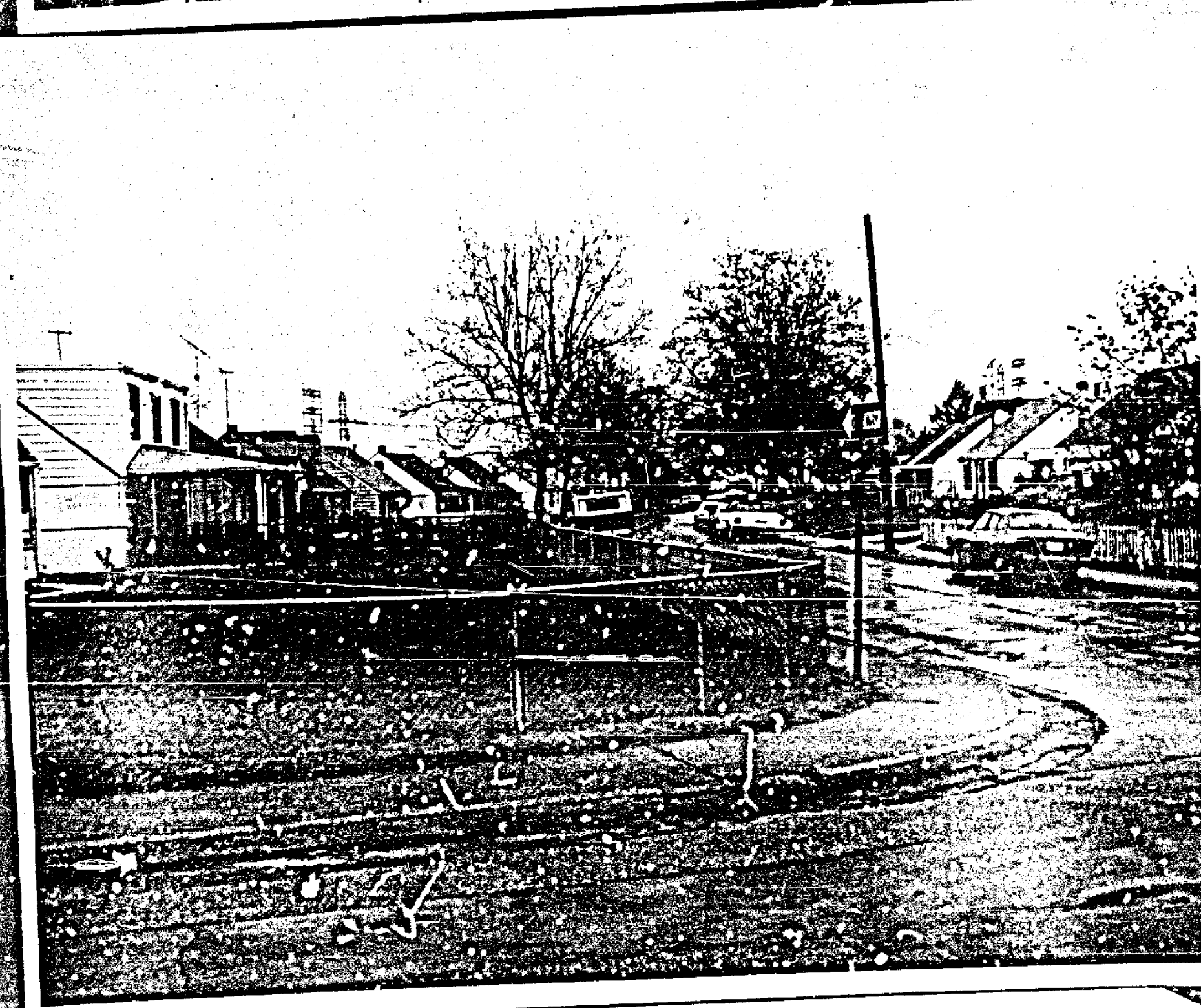
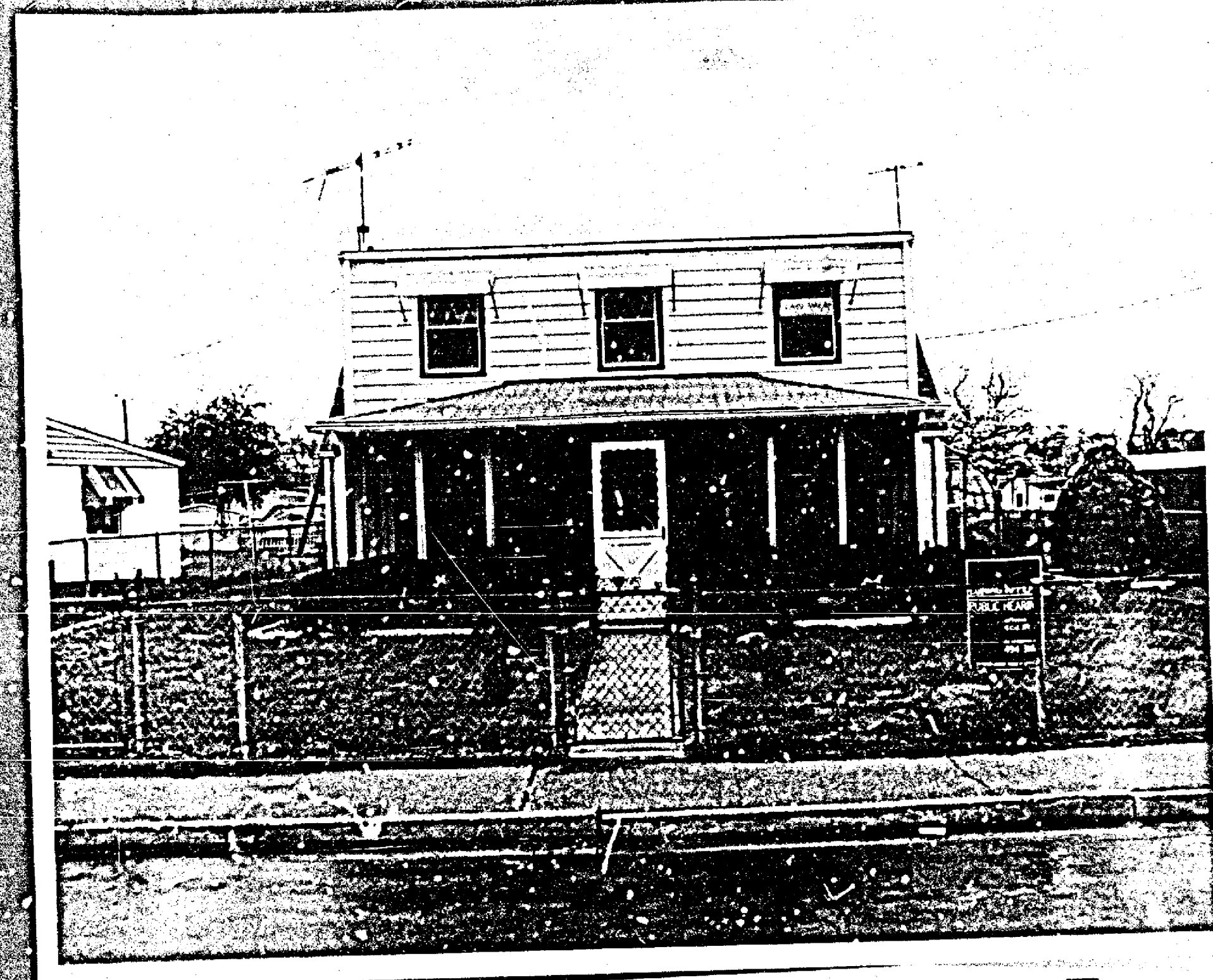
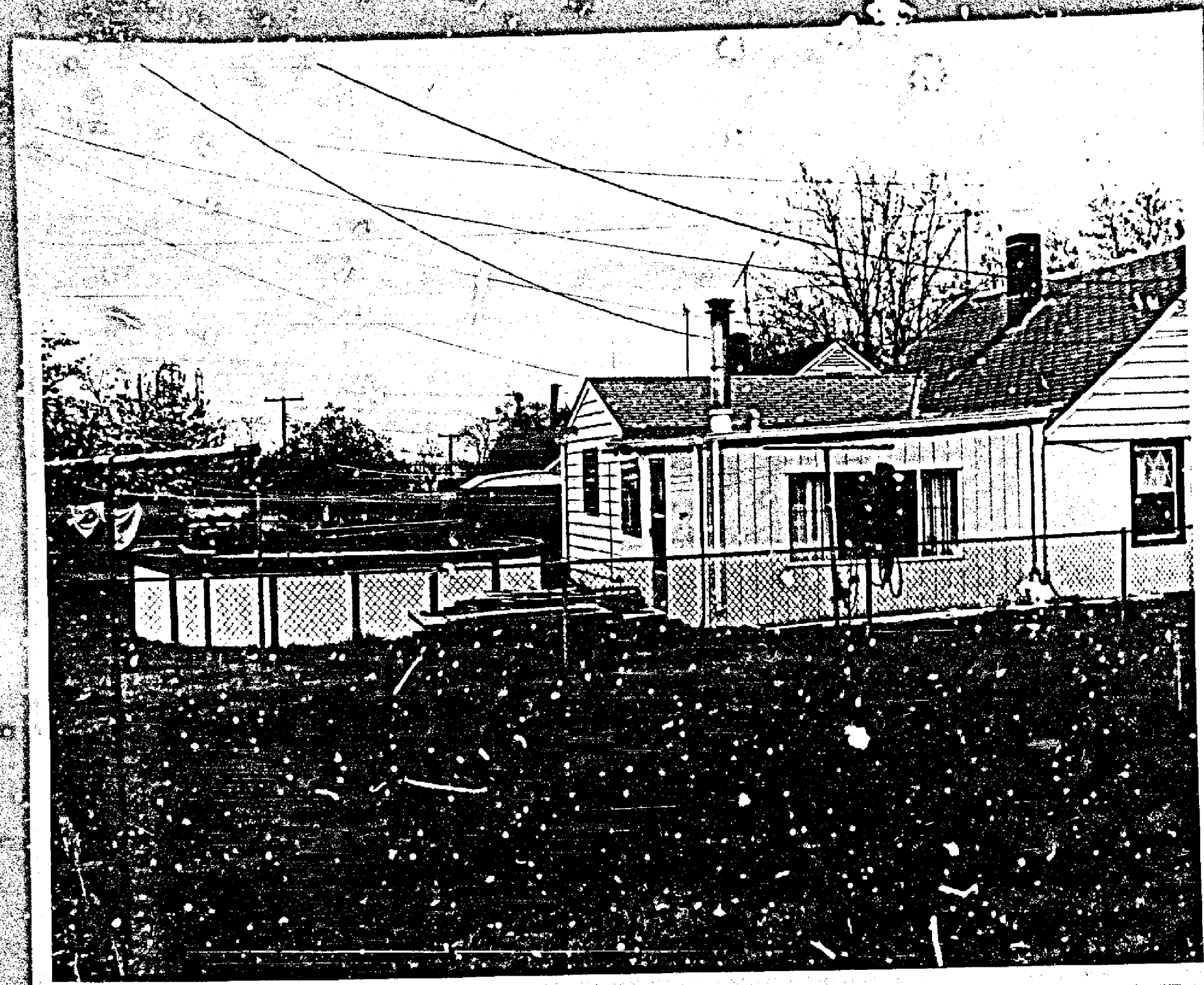
RECEIVED FROM Thomas E. Jeffries, Jr.
FOR Filing Fee for Case No. 80-234-A

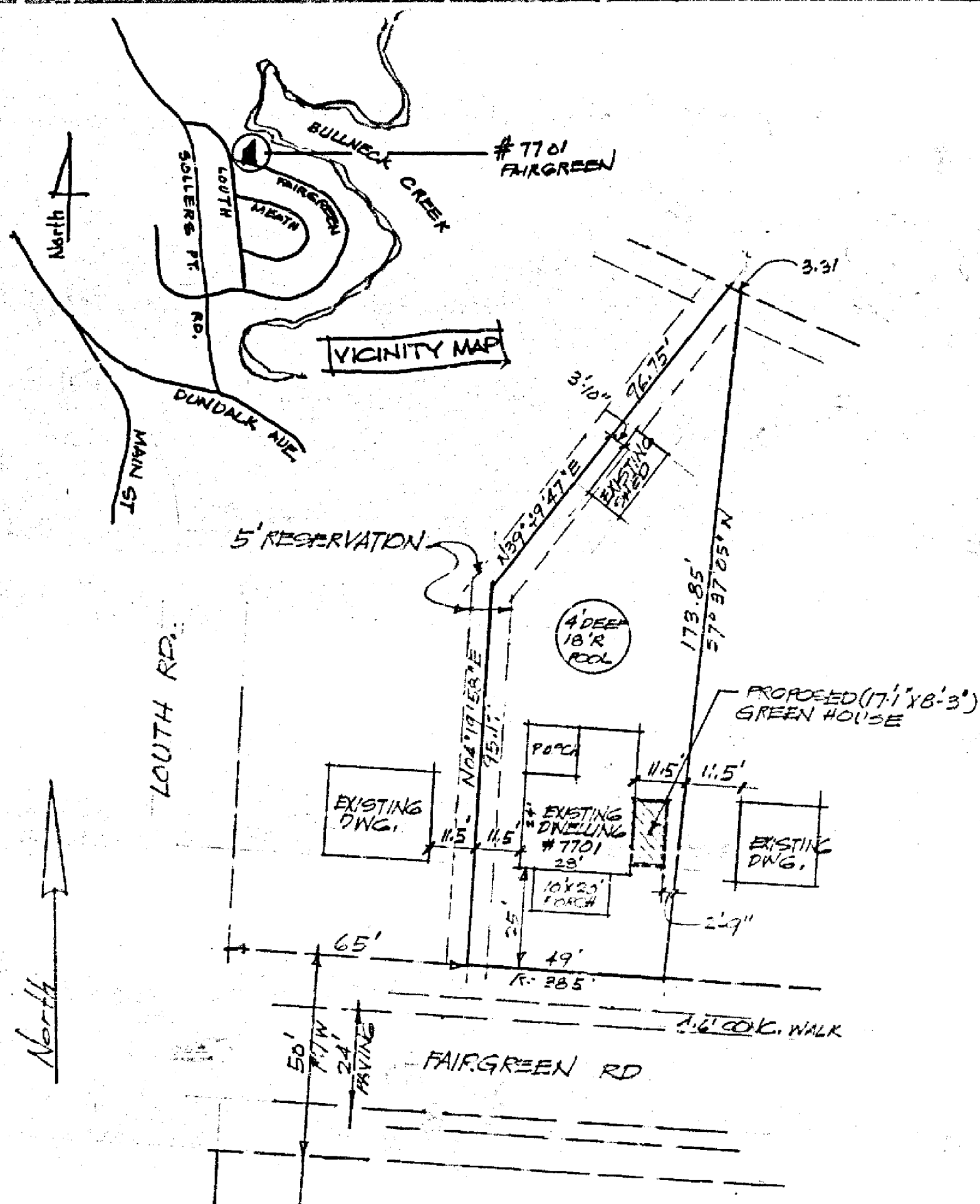
45254

VALIDATION OR SIGNATURE OF CASHIER

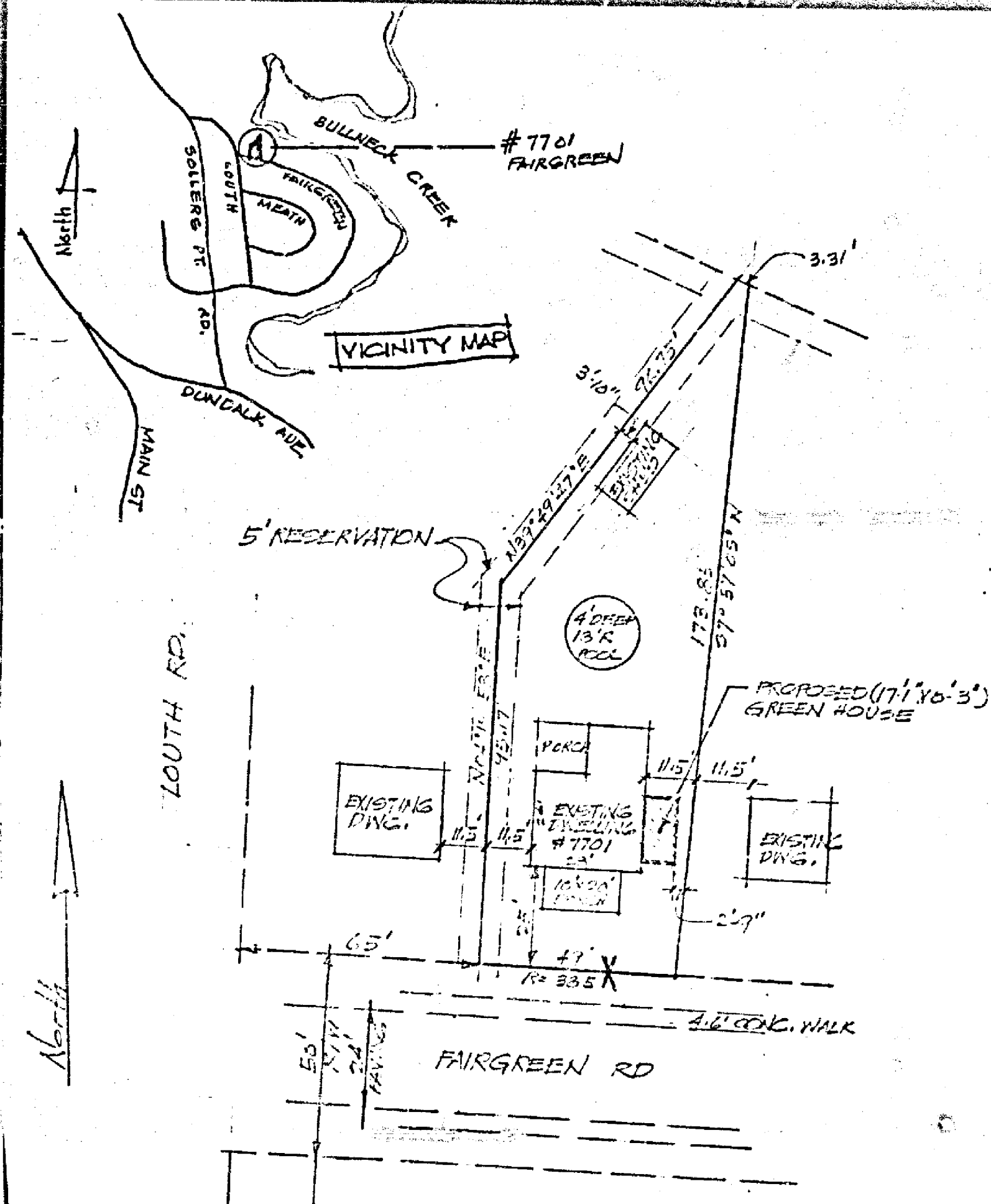


274120
177100-5
18563061-5
100702-5





PLAT TO ACCOMPANY ZONING VARIANCE
 FOR THOMAS & EVELYN JEFFRIES JR.,
 12 ELECT. DISTRICT
 DUNDALK
 LOT 13, PLOT 7, LIBER 13, FOLIO 22
 EXISTING PUBLIC UTILITIES IN THE ST.
 SCALE: 1"=30'



PLAT TO ACCOMPANY ZONING VARIANCE
 FOR THOMAS & EVELYN JEFFRIES JR.,
 12 ELECT. DISTRICT
 DUNDALK
 LOT 13, PLOT 7, LIBER 13, FOLIO 22
 EXISTING PUBLIC UTILITIES IN THE ST.
 SCALE: 1"=30'

4 A
 SE 5 F
 15
 2/25/20
 A
 CK

176 80-234-A 176 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Thomas Edward Jeffries Jr., 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 1102-3.1 of the Zoning Ordinance to permit a side setback of 2' 9" in lieu of the required 10'.

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

The variance is wanted for the installation of a greenhouse. I want to put it on the side of the house for 17' 10" long and 8' 3" wide. I want to put it on the side of the house for conservation of fuel. To heat the greenhouse I would be able to use the heat from the house and this would save approx. 15,000 over a free standing model which I would have to place a furnace in the back yard. Also I would be able to use the concrete of the house wall as a solar collector, by painting it black.

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 Thomas E. Jeffries Jr.
Address 7701 Fairgreen Rd. 21222
Petitioner's Attorney 288-1813
Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ March 1980 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ 15th day of _____ May 1980 at _____ o'clock

_____, A.M.
Zoning Commissioner of Baltimore County.

(over)

5/15/80
9:45 A.M.

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 6, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Planning Administration
Industrial Development

Mr. & Mrs. Thomas Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

RE: Item No. 176
Petitioners-Thomas Jeffries, et ux
Variance Petition

Dear Mr. & Mrs. Jeffries:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

Because of your proposal to raze an existing greenhouse and construct a new one attached to the side of the existing dwelling, this Variance hearing is required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk
Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

March 31, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #176 (1979-1980)
Property Owner: Thomas E. & Evelyn M. Jeffries
N/S Fairgreen Rd. 65' E Louth Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154 District: 12th

Dear Mr. Hammond:

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 highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

As indicated, there is a 10-foot utility easement centered upon the westerly side property lines of this Lot 13, Block 1, Plat No. 7, Dundalk, recorded C.H.K. 13, Folio 23.

The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way and utility easements.

This office has no further comment to add to the plan submitted for Zoning Advisory Committee review in connection with this Item 176 (1979-1980).

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND, P.E.
Chief, Bureau of Engineering

END:EAM:PWR:s
cc: J. Wimbley



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #176, Zoning Advisory Committee Meeting, March 4, 1980, are as follows:

Property Owner: Thomas E. & Evelyn M. Jeffries
Location: N/S Fairgreen Road 65' E Louth Road
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154
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. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

March 24, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #176, Zoning Advisory Committee meeting of March 4, 1980, are as follows:

Property Owner: Thomas E. & Evelyn M. Jeffries
Location: N/S Fairgreen Road 65' E Louth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154
District: 12

Metropolitan water and sewer exist, therefore, the proposed greenhouse should not pose any health hazards.

Very truly yours,

Ian J. Forrest
IAN J. FORREST, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

March 20, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Thomas E. & Evelyn M. Jeffries

Location: N/S Fairgreen Rd. 65' E Louth Rd.
Item No: 176 Zoning Agenda: Meeting of 3/4/80

Gentlemen:

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

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *George M. Wagonetti* Noted and Approved: *George M. Wagonetti*
Planning Group, 3/24/80 Fire Prevention Bureau
Special Inspection Division



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED CALDWELL JR.
DIRECTOR

April 1, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #176 Zoning Advisory Committee Meeting, March 4, 1980 are as follows:

Property Owner: Thomas E. & Evelyn M. Jeffries
Location: N/S Fairgreen Road 65' E Louth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2.75' in lieu of the required 10'.
Acres: 0.154
District: 12th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, other applicable Codes.
- B. A building/ _____ permit shall be required before beginning construction.
- C. Incidental: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above a structure, please have the owner, thru the services of a Registered Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X I. Comments: Unless the east wall is of non combustible materials (glass-metal) it shall be of a one hour fire rating.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room 2122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

(CB:rr)

ORDER RECEIVED FOR FILING

DATE June 13, 1980
BY Stella P. [unclear]

Pursuant to the advertisement, posting of property, and public hearing of the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, . . .

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of June, 1980, that the herein Petition for the Variance(s) to permit a side yard setback of 2 feet 9 inches in lieu of the required 10 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jan M. H. Jung
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE : BEFORE
from Sec. 1802.3.C.1 to permit :
a side yard setback of 2' 9" in : COUNTY BOARD OF APPEALS
lieu of the required 10' :
N/S of Fairgreen Road, 65' E of : OF
Louth Road : BALTIMORE COUNTY
12th District :
THOMAS E. JEFFRIES, JR., et ux, : No. 80-234-A
Petitioners :

OPINION

This case comes to the Board on appeal from a decision of the Deputy Zoning Commissioner granting a variance for the construction of the greenhouse on the side yard of the Petitioner, Thomas E. Jeffries, Jr. The property is located in a residential neighborhood of small cottages, each of which has 11 1/2 ft. to the fence between neighbors from the main building structure. The Protestants live next door and the proposed greenhouse would come within 2' 9" of their property line.

Petitioner, Thomas E. Jeffries, Jr., testified that he had an existing greenhouse on the east side of his building for many years, but that it was deteriorating, and he wished to construct an aluminum and glass prefabricated structure which would bring the footing of the greenhouse to within the variance indicated. He testified that he could not locate the greenhouse on either the west side of his house, because of the Baltimore County Utility easement, nor on the rear and north side of his home, because of an existing swimming pool. He further testified that the greenhouse should be attached to his existing dwelling because of the proximity of heat and electricity for the greenhouse. Petitioner also introduced many photographs of the neighborhood, indicating that a great many of the neighboring properties had additions in their side yards which were accomplished either through variance or perhaps were constructed prior to Baltimore County Zoning Regulations.

The Protestants and next door neighbors complained about building the structure opposite their home, but remarkably did not object to the existing illegal greenhouse which sits toward the rear of the proposed structure. This was so in spite of the poor condition of the existing greenhouse primarily in that it was away from their existing bed-

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent Towson, Maryland - 21204
Date: March 3, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 4, 1980

RE: Item No: 172, 173, 174, 175, 176
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/bp

Thomas E. Jeffries, Jr., et ux
Case No. 80-234-A

2.

room windows. The Board discounts many of the peripheral arguments made by both the Protestants and the Petitioners regarding allergies of the Protestants' daughter, odors from the existing greenhouse, placement of trash cans, etc. In the Board's view, the issue is to be determined on the requirements of Section 307 of the Baltimore County Zoning Regulations, which requires, "The Board is given power to grant variances from height and area regulations . . . only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship." The Protestants argue that Court of Appeals cases interpreting variance regulations as above, require that justification for a variance must be "substantial and urgent and not merely for the convenience of the applicant." See McLean vs. Soley, 270 Md. 208 (1973) The Petitioner testified that his request for a variance was primarily for his own convenience. However, the Board is satisfied that use of the words by a layman, such as "convenience", did not of themselves determine what the Board should decide on the basis of the review of all the evidence presented. The Board notes that in a more recent case of Anderson vs. Board of Appeals, town of Chesapeake Beach, 22 Md. App. 28 (1974) the Court notes that there is a lesser burden of proving practical difficulty and undue hardship in area variances as opposed to use variances. The court further provides the test that "to prove practical difficulty for an area variance, the following criteria must be met: 1. whether strict compliance with the 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 the applicant as well as other property owners in the district, or whether a lesser relaxation that that applied for would give substantial relief, 3. whether relief can be granted in such a fashion that the spirit of the ordinance will be observed, the public safety and welfare secured."

The Board finds that under the test provided in the Anderson case, the petition for variance should be granted with a proviso that the location of the greenhouse

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Fairgreen Rd., 65' :
E of Louth Rd., 12th District : OF BALTIMORE COUNTY
THOMAS EDWARD JEFFRIES, et ux, : Case No. 80-234-A
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Thomas E. Jeffries, 7701 Fairgreen Road, Baltimore, Maryland 21222, Petitioners.

John W. Hession, III
John W. Hession, III

Thomas E. Jeffries, Jr., et ux
Case No. 80-234-A

3.

should be essentially on the location of the present greenhouse and not located opposite the protestants existing dwelling, as proposed in the plat associated with the application for variance. In the words of the Anderson Court, the Board finds that this "lesser relaxation that applied for would give substantial relief to the property owner" while at the same time preserving for the protestants essentially the same conditions, albeit, with an improved greenhouse structure that they presently have said was acceptable to them. The Board notes that from the testimony presented, the petitioner could well have indicated building the greenhouse on the northern rear portion of his property and have avoided the issue of a variance altogether. The Board, however, agrees with the petitioner that this is not a feasible location for a greenhouse, in that it would be located on the northern end of the existing building, which would severely limit its usefulness as either a heat collector or a place to grow plants year round.

For this reason, the Board will confirm the Deputy Zoning Commissioner's granting of the variance, subject to the submission of a suitable site plan with the exception that the greenhouse is to be located as indicated on the file plat accompanying the petition for zoning variance at the location of the existing greenhouse and not at the proposed location.

ORDER

For the reasons set forth in the foregoing Opinion, the Board will affirm the Order of the Deputy Zoning Commissioner; therefore, it is this 2nd day of June, 1981, by the County Board of Appeals, ORDERED that the variance petitioned for be and the same is hereby GRANTED, subject to the submission of a suitable site plan as indicated in the last paragraph of the Opinion in this case.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Fairgreen Rd., 65' :
E of Louth Rd., 12th District : OF BALTIMORE COUNTY
THOMAS E. JEFFRIES, JR., et ux : Case No. 80-234-A (Item 176)
Petitioners :

ORDER FOR APPEAL

Mr. Commissioners:

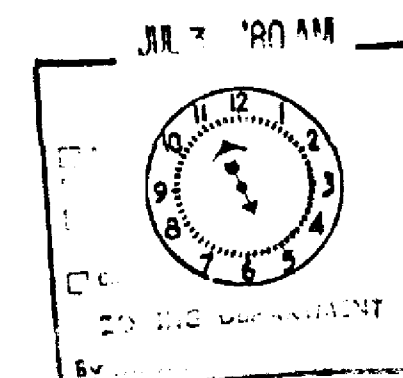
Please note an appeal from the decision of the Deputy Zoning Commissioner in the above-entitled matter, under date of June 13, 1980, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1980, a copy of the foregoing Order for Appeal was mailed to Mr. and Mrs. Thomas E. Jeffries, Jr., 7701 Fairgreen Road, Dundalk, Maryland 21222, Petitioners; and Mr. Paul J. Dillon, 7703 Fairgreen Road, Dundalk, Maryland 21222, Protestants.

John W. Hession, III
John W. Hession, III



Thomas E. Jeffries, Jr., et ux
Case No. 80-234-A

4.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John V. Murphy
John V. Murphy, Acting Chairman

Leroy B. Spurrer
Leroy B. Spurrer

Patricia Phipps
Patricia Phipps

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

Feb. 10, 1981

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-234-A

THOMAS E. JEFFRIES, JR., et ux

Variance to permit a side yard setback
of 2'9" in lieu of the required 10'

N/S of Fairgreen Rd., 65' E of Louth Road

12th District

6/13/80 - D.Z.C. (J. Jung) GRANTED
variance subject to approval of site plan

The above case, scheduled for hearing on Thursday, March 12, 1981, at 10:30 a.m.

has been POSTPONED by the Board at the request of Counsel for the Protestants, and

REASSIGNED FOR: TUESDAY, MAY 26, 1981, at 10 a.m.

cc: Mr. and Mrs. T. E. Jeffries, Jr. Petitioners

Mr. and Mrs. Paul Dillon

Protestants

Kenneth J. MacFadyen, Esq.

Counsel for Protestants

J. Michael Lawlor, Esq.

" " "

John W. Hession, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

" "

J. Jung

" "

June Holmen, Secy.

April 16, 1980

Mr. & Mrs. Thomas E. Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

NOTICE OF HEARING

RE: Petition for Variance - N/S Fairgreen Rd., 65' E Louth Road
Case No. 80-234-A

TIME: 9:15 A.M.

DATE: Thursday, May 15, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

CLARENCE D. LONG
2000 RAYMOND BUILDING
WASHINGTON, D.C. 20519
(202) 222-3041
CHAIRMAN:
SUBCOMMITTEE ON
FOREIGN OPERATIONS
MEMBER:
SUBCOMMITTEE ON
INTERIOR
MILITARY CONSTRUCTION

THOMAS EDWARD JEFFRIES
80-234-A
DZE granted 6-13-80
Congress of the United States
House of Representatives
Washington, D.C. 20515

PLEASE REPLY TO
DISTRICT OFFICE

July 22, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

I am writing on behalf of Mr. and Mrs. Paul J. Dillon, 7703 Fairgreen Road, Baltimore, Maryland 21222.

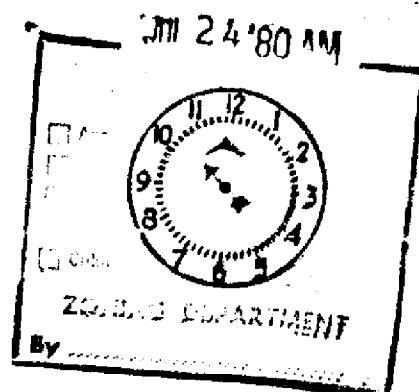
Mr. and Mrs. Dillon have been in touch with me concerning a zoning variance granted to their next door neighbor, Mr. Jeffries (7701 Fairgreen Road), in order that he may construct a new green house without the required 10 foot setback. The Dillons are quite upset about this decision for several reasons outlined in the enclosed correspondence. Aside from the setback requirement, it would appear that there are also problems with drainage, this new building being separate from the Jeffries existing house, and the possibility that Mr. Jeffries is carrying on a business in this residential area.

I should appreciate your further consideration of this situation, and letting me know how the Dillon's queries can be answered and what recourse they have at this time.

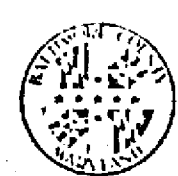
Warm regards,

CLARENCE D. LONG

CDL:cw
Enclosure
cc: Mr. and Mrs. Dillon



THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS



BALTIMORE COUNTY ZONING
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 1, 1980

Mr. & Mrs. Thomas E. Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

RE: Petition for Variance
N/S Fairgreen Road, 65' E of
Louth Road
Case No. 80-234-A

Dear Mr. & Mrs. Jeffries:

This is to advise you that \$45.25 is due for
advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and
remitt to Sondra Jones, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEL:sj

PETITION FOR VARIANCE

12th District

ZONING: Petition for Variance for side yard setback

LOCATION: North side of Fairgreen Road, 65 feet East of Louth Road

DATE & TIME: Thursday, May 15, 1980 at 9:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard
setback of 2 feet 9 inches in lieu of the
required 10 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.C.1 - side yard setbacks

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Thomas Edward Jeffries, Jr., et ux, as shown on plat plan
filed with the Zoning Department

Hearing Date: Thursday, May 15, 1980 at 9:15 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond

Zoning Commissioner

TO: John D. Seyffert, Director

FROM: Office of Planning and Zoning

SUBJECT: Petition No. 80-234-A Item 176

Date: April 22, 1980

Petition for Variance for side yard setback
North side of Fairgreen Road, 65 feet East of Louth Road
Petitioner - Thomas Edward Jeffries, Jr., et ux

Twelfth District

HEARING: Thursday, May 15, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:ob



baltimore county
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3559

STEPHENE COLLINS
DIRECTOR

May 6, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment
on Items #174, 175 and 176 with regard to the Zoning Advisory Committee
Meeting of March 4, 1980.

Very truly yours,

Michael S. Planigan
Engineer Associate II

MSF/bza

June 27, 1980

Mr. William Hammond
Zoning Comm.

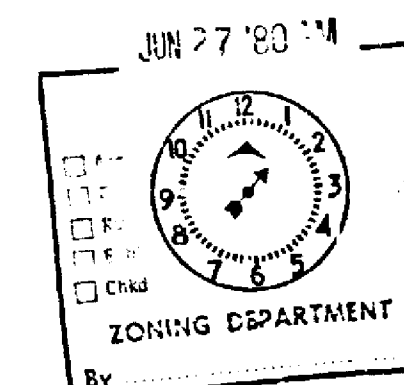
Thomas E. Jeffries Jr.
80-234-A (Item #176)

Dear Mr. Hammond,
Please find enclosed my check for \$40.00
for the appeal of the above captioned matter

P.J. Dillon
7703 Fairgreen Rd.
Baltimore, Md.

21222

Phone 282-7450



80-234-A
Granted

June 13, 1980

Mr. & Mrs. Thomas E. Jeffries, Jr.
7701 Fairgreen Road
Dundalk, Maryland 21222

RE: Petition for Variance
N/S of Fairgreen Rd., 65' E of Louth Rd. -
12th Election District
Thomas E. Jeffries, Jr., et ux -
Petitioners
NO. 80-234-A (Item No. 176)

Dear Mr. & Mrs. Jeffries:

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

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Paul J. Dillon
Room 219, Court House
7703 Fairgreen Road
Dundalk, Maryland 21222

John W. Hessian, III, Esquire
People's Counsel

Description for Variance
7701 Fairgreen Road
Located on the north side of Fairgreen Rd. Appx 65' east of Louth Rd. and known as
lot # 13 abt on Plot 7, Dundalk and recorded among land records of Baltimore
County in Liber 13, Page 22.

LAW OFFICES
Friedman, Glorioso, Cohen & MacFadyen, P.A.

ALVIN E. FRIEDMAN
VINCENT L. GLORIOSO
J. ALLAN COHEN
KENNETH J. MACFADYEN
MICHAEL G. RINN
MARK H. FRIEDMAN

EIGHTH FLOOR - INA BUILDING
303 EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202

(301) 685-1763
CABLE ADDRESS: FANG

SAMUEL S. LEVIN
(897-1979)
ANNAPOLIS OFFICE
113 CATHEDRAL STREET
ANNAPOLIS, MD 21401
(301) 269-6765

June 12, 1981

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

RE: Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

Gentlemen:

I am in receipt of your Opinion and thought that at least for the record, in view of the fact this matter will probably go further, that I would ask for clarity as to its meaning, in view of the fact that it seems certain findings of fact may be inconsistent with what the Board believes the protestants' view of the situation is. In the first instance, the existing greenhouse is not away from the existing bedroom windows, but directly across from the bedroom windows, and in the second instance, the existing greenhouse is in no way acceptable to the protestants. If we understand your Order correctly, the greenhouse is to be installed along the side of the petitioners' house, and the proposed site is precisely the site of the existing greenhouse, which is not agreeable to the protestants.

Very truly yours,

Friedman, Glorioso, Cohen & MacFadyen, P.A.

Kenneth J. MacFadyen
Kenneth J. MacFadyen

KJM/cab

cc: Mr. and Mrs. Paul Dillon
7703 Fairgreen Road
Baltimore, Maryland 21222

Dictated but not read

LAW OFFICES
Friedman, Glorioso, Cohen & MacFadyen, P.A.

ALVIN E. FRIEDMAN
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J. ALLAN COHEN
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June 12, 1981

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

RE: Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

Gentlemen:

I am in receipt of your Opinion and thought that at least for the record, in view of the fact this matter will probably go further, that I would ask for clarity as to its meaning, in view of the fact that it seems certain findings of fact may be inconsistent with what the Board believes the protestants' view of the situation is. In the first instance, the existing greenhouse is not away from the existing bedroom windows, but directly across from the bedroom windows, and in the second instance, the existing greenhouse is in no way acceptable to the protestants. If we understand your Order correctly, the greenhouse is to be installed along the side of the petitioners' house, and the proposed site is precisely the site of the existing greenhouse, which is not agreeable to the protestants.

Very truly yours,

Friedman, Glorioso, Cohen & MacFadyen, P.A.

Kenneth J. MacFadyen
Kenneth J. MacFadyen

KJM/cab

cc: Mr. and Mrs. Paul Dillon
7703 Fairgreen Road
Baltimore, Maryland 21222

Dictated but not read

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
June 18, 1981

Kenneth J. MacFadyen, Esq.
Eighth Floor - INA Building
303 E. Fayette St.
Baltimore, Md. 21202

Dear Mr. MacFadyen:

Re: Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

In response to your letter of June 12, 1981, please be advised that the Board, after having listened to all the testimony and reviewing the evidence presented to it, made a decision to grant the Petitioner's request for a special exception for the greenhouse and further decided to grant that exception on the west side of Petitioner's house. Our own decision then was whether to grant the greenhouse in exactly the location as proposed by the Petitioner or to see if we could find some less objectionable location along the west side of Petitioner's house. I believe by our Opinion you can see we attempted to accommodate your client's use as much as we could, consistent with our basic decision, in that it was our recollection that your client stated that the present greenhouse, although illegal, was acceptable. That is why our Order reflects that the greenhouse is to be installed along the side of the Petitioner's house and the proposed site is precisely the site of the existing house.

I regret that your clients do not find the Board's decision agreeable, but can only state that the Board believes that this was the most equitable decision that it had available to it.

Thank you very much for your letter.

Yours very truly,

John V. Murphy
John V. Murphy, Acting Chairman
County Board of Appeals

Mh

1/8/81 - Notified the following of hearing scheduled for THURS., MARCH 12, 1981, at 10:30:

Mr. and Mrs. T. E. Jeffries, Jr.
Mr. Paul J. Dillon
J. W. Hessian, Esq.
J. E. Dyer
W. Hammond
J. Michael Lawlor, Esq.

2/18/81 - Notified the above of POSTPONEMENT and REASSIGNMENT for Tues., May 26, 1981, at 10 a.m.
(plus Mr. MacFadyen, Esq.)

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
June 2, 1981

Mr. Paul J. Dillon
7703 Fairgreen Road
Dundalk, Maryland 21222

Dear Mr. Dillon:

Case No. 80-234-A
Thomas E. Jeffries, Jr., et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

John Holmen
John Holmen, Secretary

Encl.
cc: John W. Hessian, III, Esq.
Mr. and Mrs. Thomas Jeffries, Jr.
J. Michael Lawlor, Esq.
Kenneth J. MacFadyen, Esq.
J. E. Dyer
W. Hammond
J. Jung
P. Zimmerman
JH

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
April 28, 1981

Mr. Carmen D. Dematteo, Sr.
Department of Permits and Licenses

and

Mr. Frank Gunther
Department of Permits and Licenses

Re: Case No. 80-234-A
Thomas E. Jeffries
Set for hearing on May 26, 1981 at 10 a.m.

The Petitioner in the above referenced case has requested the Board to notify you that he requests your appearance at the hearing of this case.

William T. Hackett
William T. Hackett, Acting Chairman

LAW OFFICES
Friedman, Glorioso, Cohen & MacFadyen, P.A.

EIGHTH FLOOR — INA BUILDING
303 EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202

ADVIN E. FRIEDMAN
VINCENT L. GLORIOSO
J. ALLAN COHEN
KENNETH J. MACFADYEN
MICHAEL G. RINN
MARK H. FRIEDMAN

SAMUEL S. LEVIN
(1957-1979)
TELEPHONE 685-1763
AREA CODE 301
CABLE ADDRESS: FANG

February 16, 1981

County Board of Appeals
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Petition for Variance
N/S of Fairgreen Road
65' E of Louth Road
12th Election District
Thomas E. Jeffries, Jr., et ux -
Petitioners
No. 80-234-A (Item No. 176)

Gentlemen:

Please be advised this office has been retained to represent the interests of Mr. and Mrs. Paul Dillon, 7703 Fairgreen Road, Baltimore, Maryland, 21222, in connection with the above matter. The Appeal is presently set for hearing before you on March 12th, and at the present time, I have scheduled in Cambridge the case of Insley vs J. I. Case and J. I. Case vs Insley. I also have scheduled on that day in Baltimore City, the case of Sinai Hospital vs. Smith. The Insley case is a case of long standing and will be tried before a jury, and I respectfully request a brief postponement to your next available date with respect to this matter.

Very truly yours,

Friedman, Glorioso, Cohen & MacFadyen, P.A.

Kenneth J. MacFadyen

KJM/cab

CC: Mr. and Mrs. Paul Dillon
7703 Fairgreen Road
Baltimore, Maryland 21222

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

January 8, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-234-A

THOMAS E. JEFFRIES, JR., et ux

Variance to permit a side yard setback of 2'9" in lieu of the required 10'

N/S of Fairgreen Rd., 65' E of Louth Road

12th District

6/13/80 - D.Z.C. (Jung) GRANTED
variance subject to approval of site plan

THURSDAY, MARCH 12, 1981, at 10:30 a.m.

ASSIGNED FOR:

cc: Mr. and Mrs. T. E. Jeffries, Jr.

Petitioners

Mr. Paul J. Dillon

Protestant

J. Michael Lawlor, Esq.

Counsel for Protestant

John W. Hessian, Esq.

People's Counsel

J. E. Dyer

Zoning Office

William Hammond

June Holmen, Secretary

LAW OFFICES
SINGER & LAWLOR
TEN EAST EAGER
BALTIMORE, MARYLAND 21202

MARVIN I. SINGER
J. MICHAEL LAWLOR

TELEPHONE
792-1122
685-1111
AREA CODE 301
COUNSEL
VERNON H. WIESAND

July 21, 1980

Baltimore County Board of Appeals
106 County Office Building
Towson, Maryland 21204

Re: Case Number 80-234-A
Petition of Thomas E. Jeffries, et ux
Side-yard Variance

Gentlemen:

The purpose of this letter is to enter my appearance in the above-captioned matter which has not yet been scheduled for a hearing, on behalf of my clients, Mr. and Mrs. James Dillon. It is my understanding that this matter is on appeal, the appeal having been filed by Jack Hessian, Esquire.

Please advise me of the date and time of the hearing.

Sincerely,

JML
J. Michael Lawlor

JML:k11

CC: Mr. & Mrs. James Dillon

June 27, 1980

Mr. William Hammond
Zoning Comm.

Thomas E. Jeffries Jr.
80-234-A (Item #176)

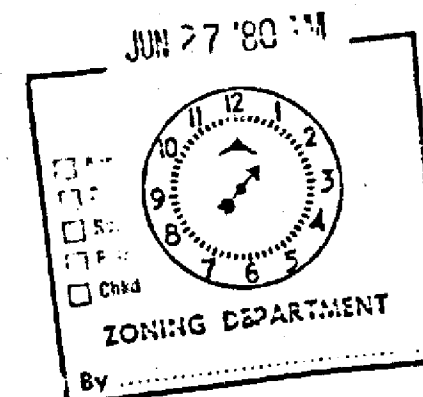
Dear Mr. Hammond;

Please find enclosed my check for \$40.00 for the appeal of the above captioned matter

P.J. Dillon
7703 Fairgreen Rd.
Baltimore, Md.

21222

Phone 282-7450



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

August 11, 1980

The Honorable Clarence D. Long
200 Post Office Building
Chesapeake and Washington Avenues
Towson, Maryland 21204

RE: Petition for Variance
N/S of Fairgreen Rd., 65' E of Louth Rd. - 12th Election District
Thomas E. Jeffries, Jr., et ux -
Petitioners
NO. 80-234-A (Item No. 176)

Dear Mr. Long:

In response to your inquiry of July 22, 1980, please be advised that subsequent to posting and advertising, a public hearing was held on May 15, 1980, concerning the above referenced case. At this time, testimony was presented on behalf of the petitioner, Mr. Thomas E. Jeffries and the protestant, Mr. Paul J. Dillon. Based on the evidence presented, the variance was granted; however, the decision has subsequently been appealed by both Mr. Dillon and the People's Counsel, John W. Hessian, Esquire. As of this date, the Board of Appeals has not scheduled this case for hearing.

In the matter of the violation case, an inspection was conducted by Mr. James H. Thompson, Zoning Inspector, on June 11, 1980. Mr. Thompson's inspection revealed that the shed was in compliance with all provisions of Section 400.1 of the Baltimore County Zoning Regulations, which pertain to accessory structures and is inclusive of sheds. For this reason, the case was closed on July 2, 1980, and Mr. Dillon was formally advised of same.

Enclosed please find a copy of the Order for Variance for your review. If you have any further questions, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc
Enclosure

To: Mr. William E. Hammond
Zoning Commissioner

I would like to have it known that
I, Paul J. Dillon & wife are protestant to the;
80-234-A Thomas E. Jeffries Jr.; and I would
like receive any correspondence regarding this
case.

*Rec'd 5-8-80
90-1046*

Truly Yours
Paul J. Dillon
7703 Fairgreen Rd.
Baltimore, Md. 21222

Mr. & Mrs. Paul J. Dillon
7703 Fairgreen Rd.
Baltimore Md. 21222

Dear Congressman Long,

We are asking for any assistences you may be able to give us in our problem at hand.

We bought our house April 23, 1980. It is a single home in Dundalk with breathing room, one of the big reasons we bought it.

Three days after we bought the property owner next door posted a sign. The information on that sign stated that Mr. & Mrs. Jeffries, Jr. 7701 Fairgreen Rd. were requesting a petition for Variance of a sideyard setback of 2' 9" in lieu of the required 10'. Hearing to be 5/15/80. #80-234-A (Item # 176)

We went to the hearing to protest. Deputy Zoning Commissioner Jean M. H. Jung heard the case.

Mr. Jeffries stated he wanted to replace an existing greenhouse with one 17' 1" long and 8' 3" wide. The reason for this is to observe plants grow and this is the only reason for the green house.

The objection we had was that he was placing it along side of the house in an area that by law requires he keep a 10' free space. That it would be at our bedroom windows, would be a nuisance, noise, lights, & sprays. Also the fact that our daughter has a severe allergy problem and is under doctors care.

We also stated we had no objection to the greenhouse placed in back of his house. Mr. Jeffries stated he wanted to put it along side of the house so he could use the heat from the house and the wall to heat it. He also used the statements of two neighbors that they did not object to it and these statements were allowed. We think this does not effect them because it will be in our bedroom window and not their bedroom window.

page 2

With this we were later told the Variance was passed.

We then contacted John O'Rourke about the problem and were told to see John Hessian, People's Counsel.

We did so and were told at first that there was no reason to appeal the case but after showing him pictures of the green house and the location he changed his mind and said it was their understanding that it was a built on type not a separate building set along side of the house, and that it may be under the wrong Variance, that the People's Counsel would appeal. We were also told we should file a separate appeal ourself just in case People's Counsel dropped out. This we did at a cost of \$40.00.

There is other problems caused here also. The proposed greenhouse would present a water run off that would drain to our side. The house is made of concrete set on the ground we already have a problem with water causing plaster to crack, the extra water from the runoff of the space taken up by the greenhouse would not be exceptable. It would also block off part of the air flow between the houses. At this time we would like to bring to light the fact that Mr. Jeffries has been selling plots from the old greenhouse and causing a problem with parking. The old greenhouse is now and has been in violation of the 10' setback free space but has been tolerated up to this point because it is small in size.

Mr. Jeffries also told us that "No matter what you do to try and prevent this Variance I will get it passed because I have influence on the board" at first we thought it was just talk but after the hearing it sure seems like he just might have, and if so then maybe it should be checked into. How did it ever pass in the first place.

The cost of an attorney to represent us in the appeal would cost \$250.00 which we do not have. We therefore are asking you to please help in any way you can.

Very Truly Yours
Mr. & Mrs. Paul J. Dillon
Mr. & Mrs. Paul J. Dillon

DUPLICATE CERTIFICATE OF PUBLICATION

TOWSON, MD. APR 12 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on successive days of the 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, and 1st day of May, 1980, the first publication appearing on the 12th day of April, 1980.

THE JEFFERSONIAN,
11 W. Chesapeake Avenue,
Towson, Maryland.

Cost of Advertisement, \$ 17.50

May 14, 1980

To whom it may concern,

It is my opinion that the greenhouse Mr. Jeffries plans to add on to his property will in no way affect our neighborhood adversely.

On the contrary, I see it to be a benefit since many of us plant small gardens and would appreciate the convenience of having such a place in close proximity to our homes. Thank you for your consideration,

Mrs. Stephen Maly
7700 Fairgreen Rd.
Dundalk, Md. 21222

PETITION MAPPING PROGRESS SHEET											
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet		
	date	by	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map											
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA											
Reviewed by: <u>WES</u>	Revised Plans:					Change in outline or description Yes					
Previous case: <u>---</u>	Map # <u>---</u>					No					

PETITION MAPPING PROGRESS SHEET											
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet		
	date	by	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map											
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA											
Reviewed by: <u>WES</u>	Revised Plans:					Change in outline or description Yes					
Previous case: <u>---</u>	Map # <u>---</u>					No					

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12 Date of Posting: 4/27/80

Posted for: Petition for Variance

Petitioner: Thomas E. Jeffries, Jr. et al.

Location of property: 115 Fairgreen Rd., 65' E. of South

Location of Signs: front of property (#7701 Fairgreen)

Remarks: 1 sign

Posted by: Sean Coleman Date of return: 5/12/80

Mr. & Mrs. Thomas Jeffries, Jr.
7701 Fairgreen Road
Baltimore, Maryland 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 4th day of March, 1980.

Petitioner: Thomas Jeffries, Jr. et al. Reviewed by: Nicholas B. Commodari
Petitioner's Attorney: --- Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 25th day of Feb., 1980.

Filing Fee \$ 25 Received: Check
Cash
Other

Petitioner: JEFFRIES Submitted by: W. E. Hammond
Petitioner's Attorney: --- Reviewed by: ---

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 April 25, 1980

THIS IS TO CERTIFY, that the annexed advertisement of William E. Hammond, Zoning Commissioner of Balto County in matter of petition by Thos. E. Jeffries, Jr. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week 25th day of April, 1980; that is to say, the same was inserted in the issue of April 24, 1980

Kimbel Publication, Inc.
Publisher.
By: Kimbel Publication, Inc.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 25th day of Feb., 1980.

Filing Fee \$ 25 Received: Check
Cash
Other

Petitioner: JEFFRIES Submitted by: W. E. Hammond
Petitioner's Attorney: --- Reviewed by: ---

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

9/5/80

Received a call from Mr. Jeffries as to whether or not the case was set for hearing and in the conversation he mentioned that Mr. Dillon, the Protestor, had filed the appeal through Mr. Hession. Also, this is mentioned in a letter received from J. Michael Lawler, Esq., when entering his appearance on behalf of Mr. Dillon.

I checked with Sandra Jones, who receives the appeals in the Zoning Office, and she advised that as far as their records are concerned there are two appeals in the case; one filed by Mr. Dillon and one filed by Mr. Hession, each one filed and paid for separately.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: May 12, 1980 ACCOUNT: 01-662

AMOUNT: \$15.25

RECEIVED FROM: Thomas E. Jeffries, Jr.
FOR: Advertising and Posting for Case No. 80-234-1

45254

VALIDATION OR SIGNATURE OF CASHIER

District: 12
115 Fairgreen Rd., 65' E. of South
Thomas E. Jeffries, Jr., et al.
1 SIGN

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12 Date of Posting: 7/26/80

Posted for: Board of Appeals

Petitioner: Thomas E. Jeffries, Jr. et al.

Location of property: 115 Fairgreen Rd., 65' E. of South

Location of Signs: front of property (#7701 Fairgreen)

Remarks: 1 sign

Posted by: Sean Coleman Date of return: 7/27/80

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE: April 16, 1980 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Thomas E. Jeffries, Jr.
FOR: Filing Fee for Case No. 80-234-1

250044

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

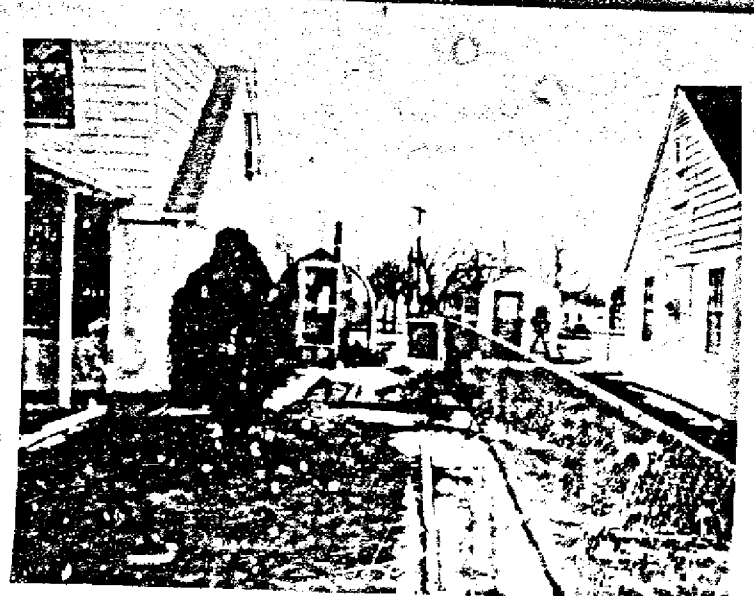
DATE: June 27, 1980 ACCOUNT: 01-662

AMOUNT: \$10.00

RECEIVED FROM: Paul Dillon
FOR: Filing Fee for appeal of Case No. 80-234-1

400044

VALIDATION OR SIGNATURE OF CASHIER

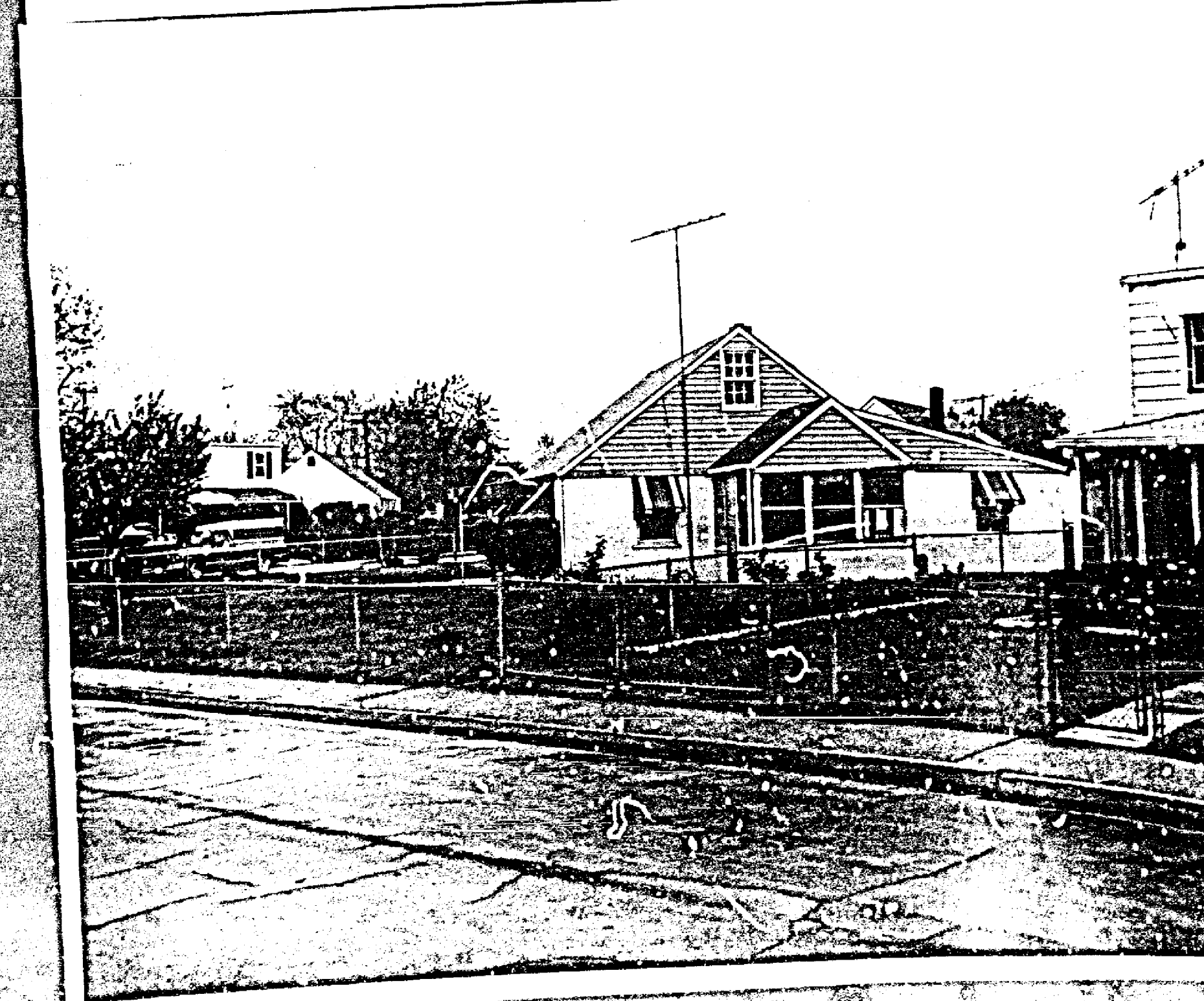
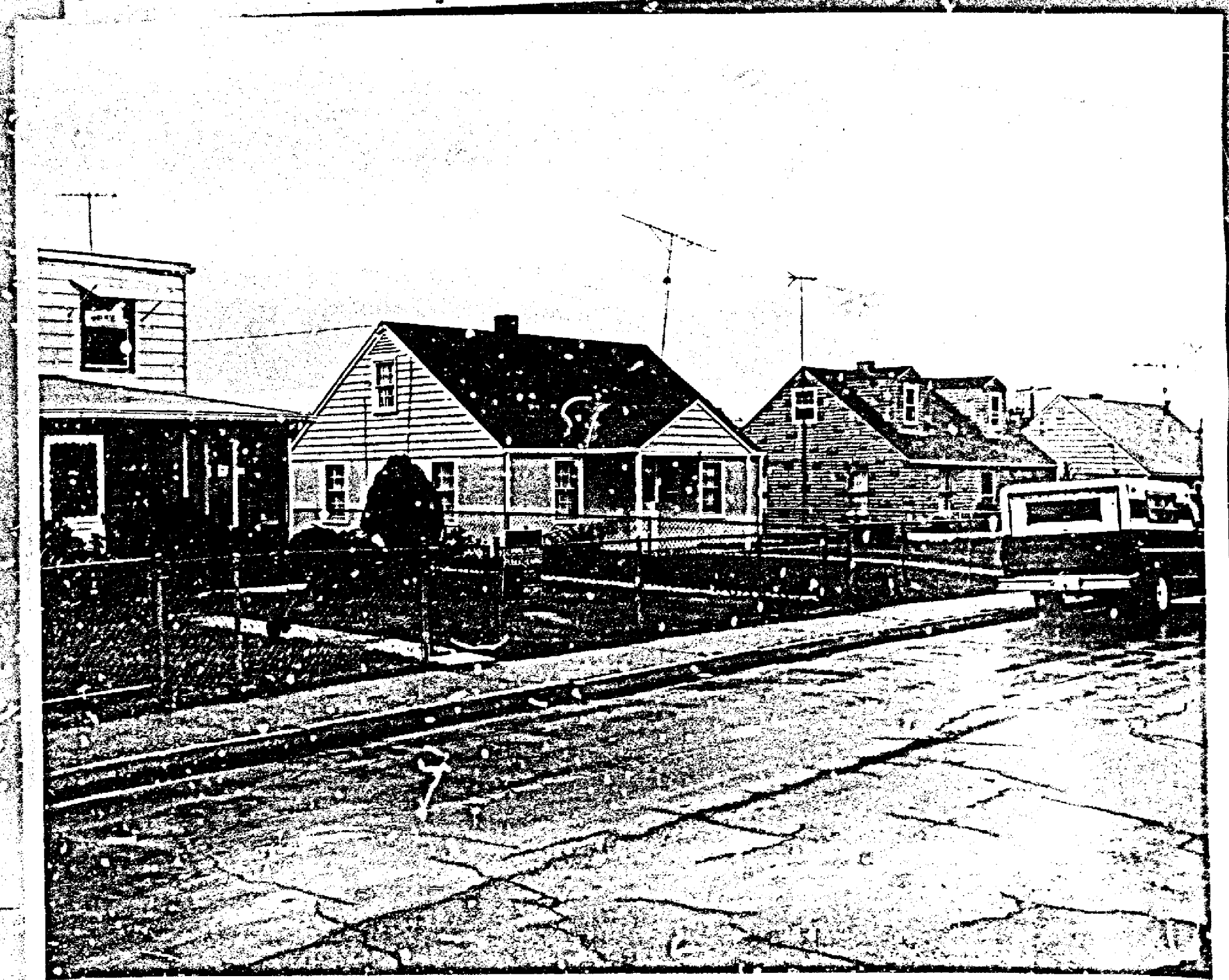
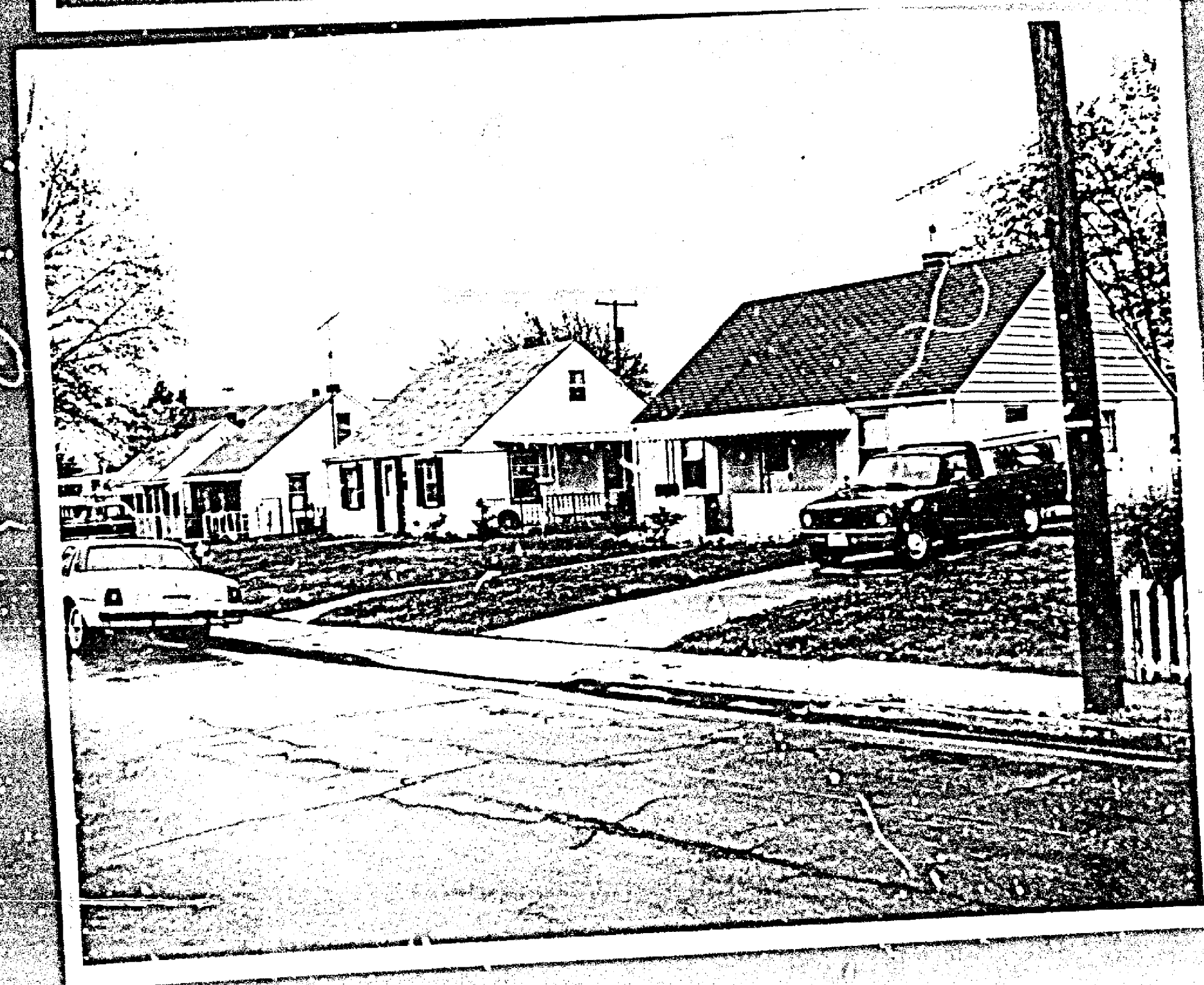
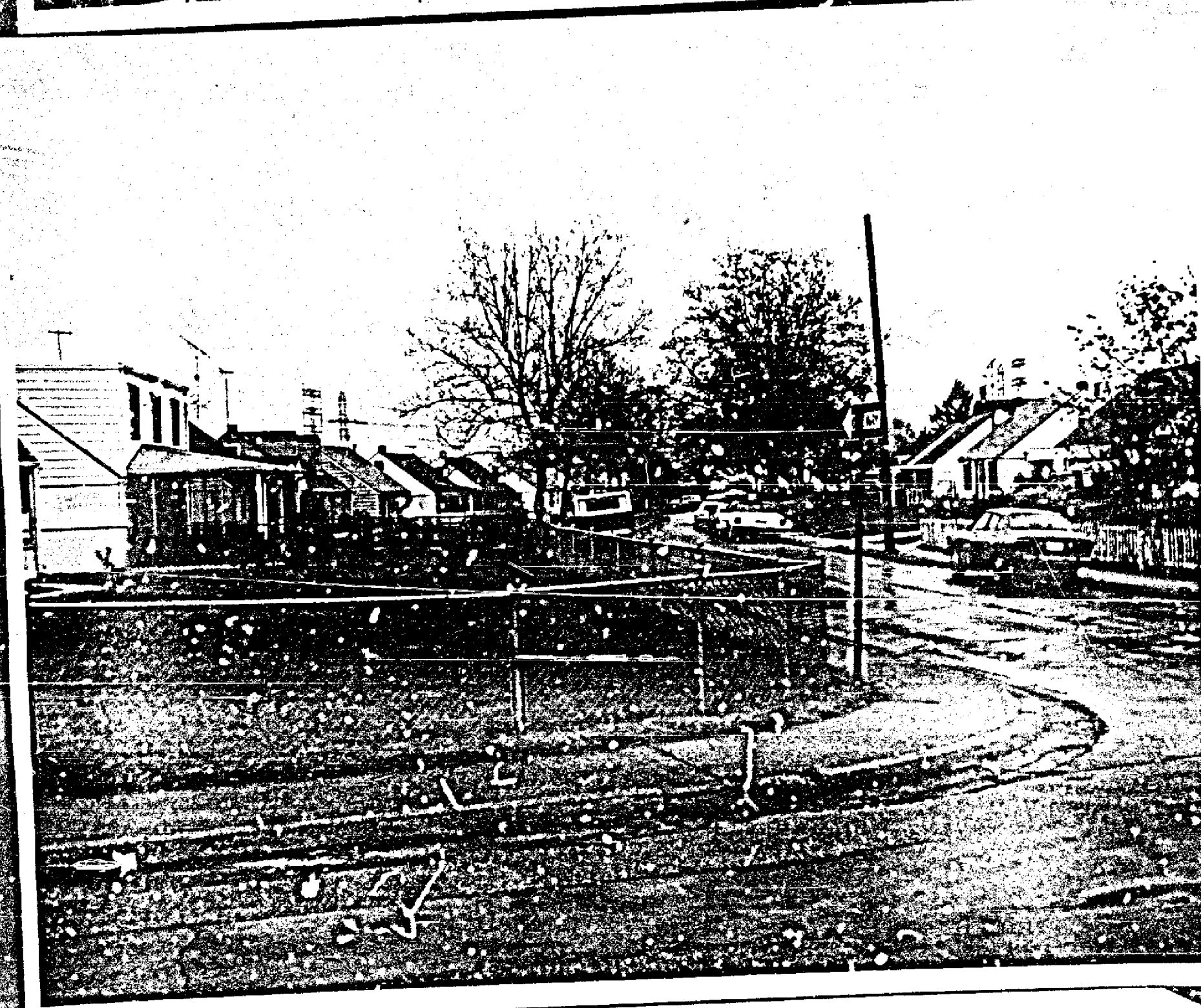
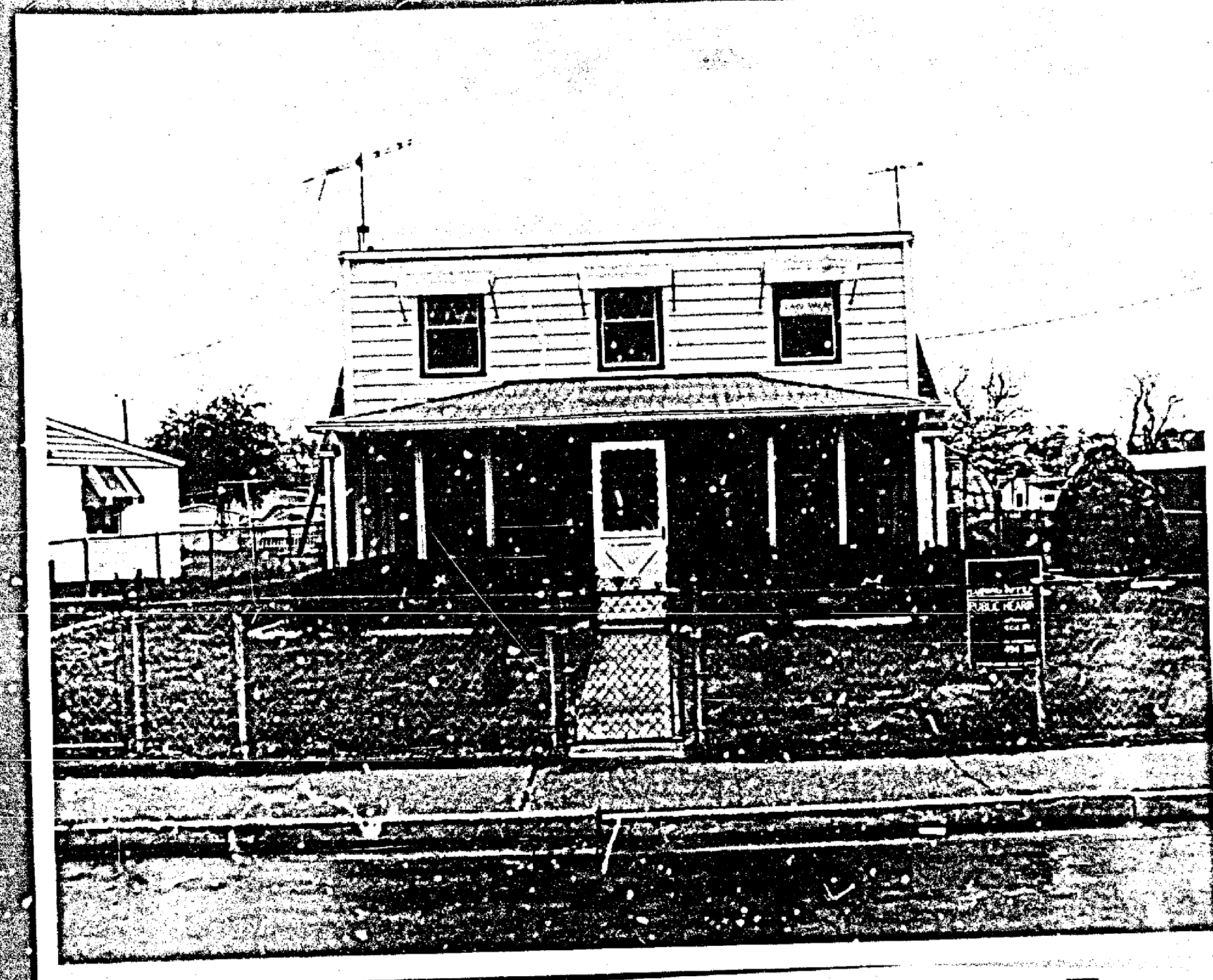
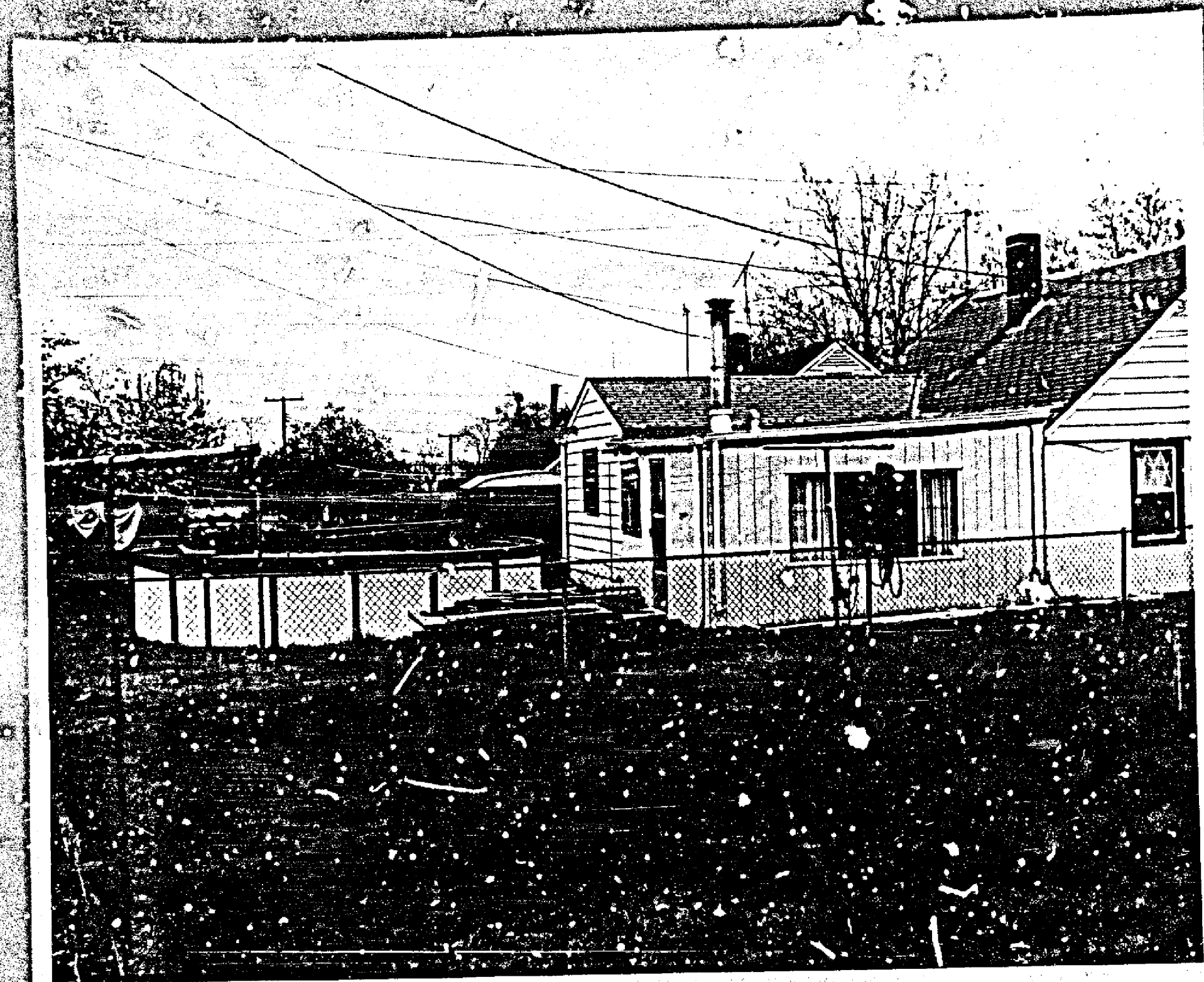


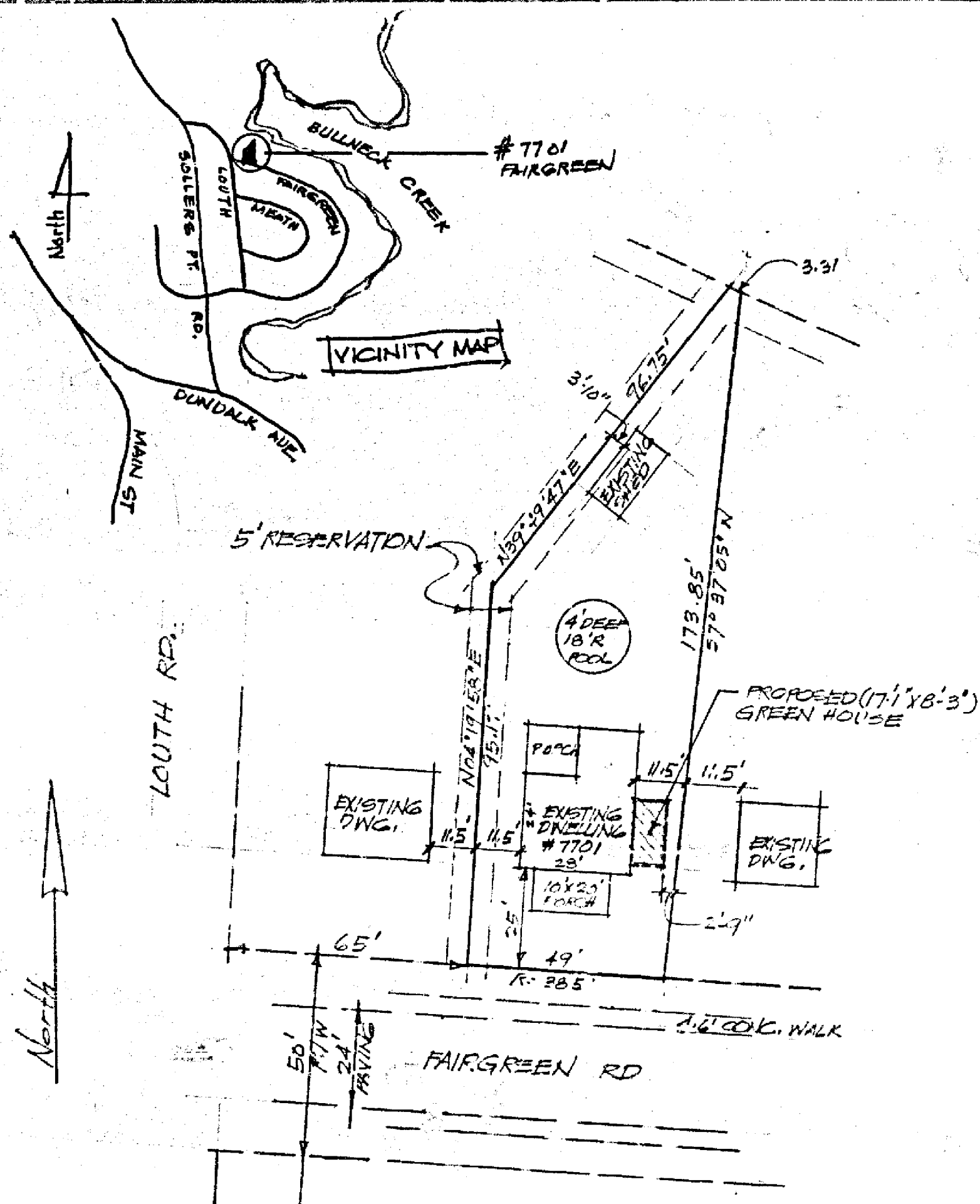
277100-5

185823361-5

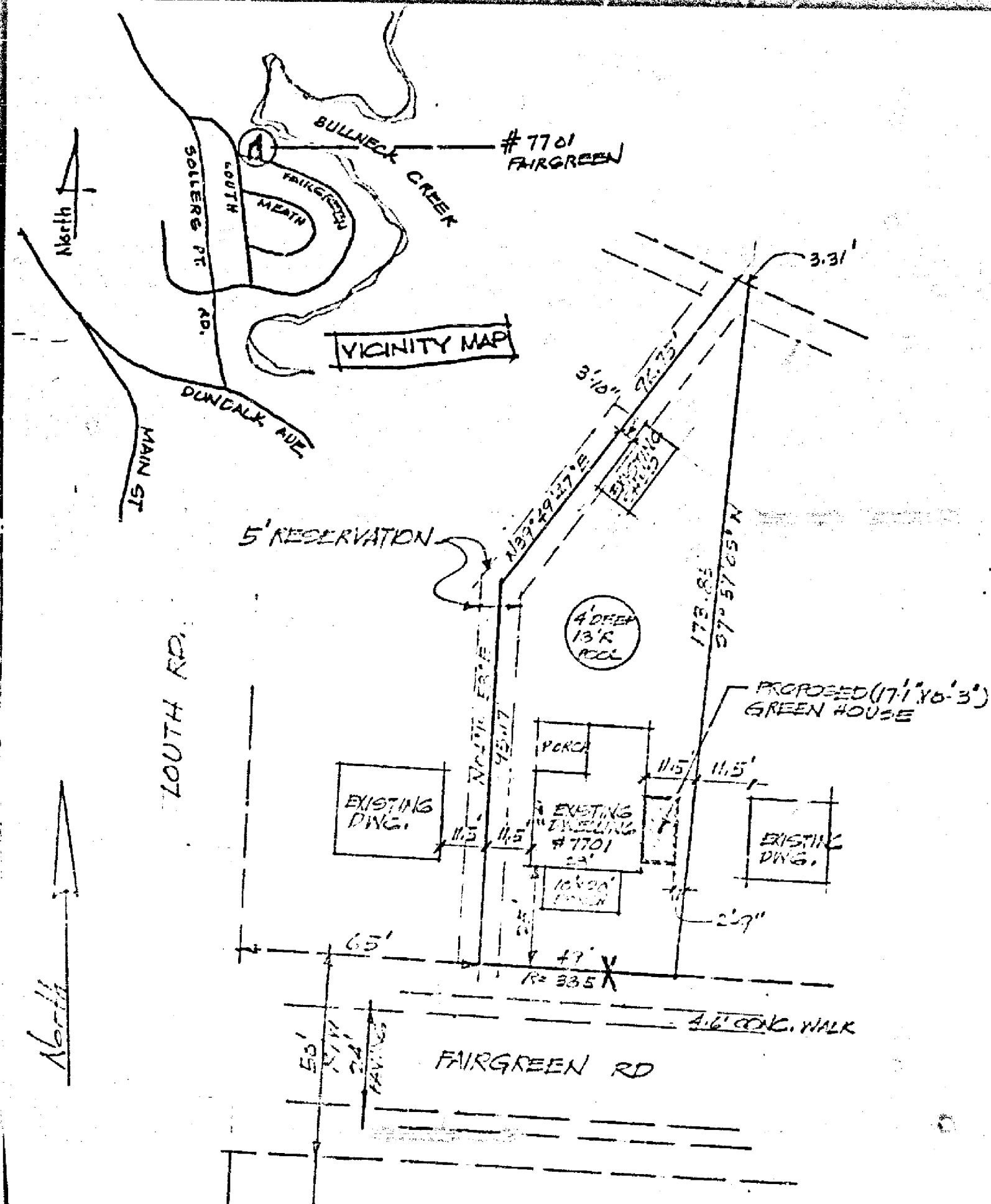
100702-5

2/6/81 Mr. Jeffries anxious to have case heard. Therefore, if another request for postponement comes in, he would appreciate being notified of the reason for same before postponement is granted.





PLAT TO ACCOMPANY ZONING VARIANCE
 FOR THOMAS & EVELYN JEFFRIES JR.,
 12 ELECT. DISTRICT
 DUNDALK
 LOT 13, PLOT 7, LIBER 13, FOLIO 22
 EXISTING PUBLIC UTILITIES IN THE ST.
 SCALE: 1"=30'



PLAT TO ACCOMPANY ZONING VARIANCE
 FOR THOMAS & EVELYN JEFFRIES JR.,
 12 ELECT. DISTRICT
 DUNDALK
 LOT 13, PLOT 7, LIBER 13, FOLIO 22
 EXISTING PUBLIC UTILITIES IN THE ST.
 SCALE: 1"=30'

LIBER	4 A
FOLIO	SE 5 F
DATE	15
DATE	2/25/30
TYPE	A
BY	W. C. K.