

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1601.3 (b)(3) Setback requirements to permit a front yard setback of 65' to the centerline of a street in lieu of the required 75' and side yard setbacks of 23' in lieu of the required 35' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) We propose to replace the existing dwelling on this lot with a new one. The existing dwelling does not conform to current setback requirements. It was built in the early 1900's and has antiquated water, heat, and electrical systems and an antiquated foundation. It is not suitable for rental or sale, and is a vacant deteriorating property in an otherwise well kept neighborhood. The expense of rehabilitation would not be justified due to the type and age of the structure. The lot is 90' wide. The current 35' side boundary setback requirement would prevent us from building a new structure of any width. An easing of the side setback requirements to 23' would enable us to construct a new dwelling of moderate size (44' x 24'). (continued on reverse side)

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.

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

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

MAP No. 5-7
E.D. 2
Date 4/15/87
200
1000
N 18,550
W 57,480

87-430-A
#314
Michael R. McKenzie, et ux
W/S Ridge Rd. 2242' S of the c/l of
Old Court Rd. (2906 Ridge Rd.)
2nd E.D.
1st C.D.

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

VS

CERTIFICATE OF PUBLICATION OF

Office of
PATUXENT
10750 Little Patuxent Pkwy
Columbia, MD 21044

April 21 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR ZONING VARIANCE
86859

was inserted in the following:
X Catonsville Times \$22.20
X Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 18 day of April 19 87, that is to say, the same was inserted in the issues of

April 16, 1987

PATUXENT PUBLISHING CORP.
By *[Signature]*

ZONING DESCRIPTION

Beginning for the same in the center of the Ridge Road (at the distance of 2242 feet south of the centerline of Old Court Road) and running thence with part of said line south 84 degrees, west 242 feet to a stake, thence running north 4 degrees 33 minutes west 90 feet to a stake and north 84 degrees east 242 feet to the center of the said Ridge Road and thence binding on the center thereof south 4 degrees 33 minutes east 90 feet to the place of beginning. Containing and laid out for one-half acre of land, more or less.

The above-described property is also known as 2906 Ridge Road, located in the Second Election District.

ZONING DESCRIPTION FOR ZONING VARIANCE PETITION
OWNERS: MICHAEL and MARGARET MC KENZIE

IN RE: PETITION FOR ZONING VARIANCE
W/S Ridge Road, 2242' S of
the c/l of Old Court Road
(2906 Ridge Road)
2nd Election District
1st Councilmanic District
Michael R. McKenzie, et ux
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-430-A

The Petitioners herein request a variance to permit a front yard setback of 65' to the centerline of a street in lieu of the required 75', and side yard setbacks of 23' in lieu of the required 35' for a dwelling.

Testimony by the Petitioners indicated that the subject property is improved with a dwelling which was constructed in the early 1900's and does not meet current setback requirements. The existing dwelling, with a 37' front yard setback and a 15' side yard setback, has been vacant for the last four years. The house has deteriorated, has antiquated water, heat, and electrical systems, and is not suitable for sale or rental in its present state. The expense of rehabilitating the property would be prohibitive due to the type and age of the structure. The Petitioners propose razing the existing structure and constructing a new 44' x 24' dwelling, which will be in line with the adjacent residence as indicated on the plan submitted.

Mr. Joseph Miller of 2908 Ridge Road, an adjacent neighbor and Protester, telephoned the Zoning Office just prior to the scheduled hearing to inform the Deputy Zoning Commissioner that he was unable to attend the hearing because of unexpected car problems. The Deputy Zoning Commissioner allowed him to send letters of protest. Those letters and the Petitioner's response have been received, given their due but limited consideration, and placed into the file.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the

ORDER RECEIVED FOR FILING
Date 4/15/87
By *[Signature]*

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of March 1987, 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 4th day of May 1987, at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of July, 1987, that a front yard setback of 65' to the centerline of a street, and side yard setbacks of 23' for a dwelling, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED from and after the day of this Order.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
Arnold Jablon
Zoning Commissioner

July 1, 1987

Mr. & Mrs. Michael McKenzie
6017 Snowdens Run Road
Sykesville, Maryland 21784

[Seal]
Dennis F. Rasmussen
County Executive

RE: Petition for Zoning Variance
W/S Ridge Road, 2242' S of
the c/l of Old Court Road
Case No. 87-430-A

Dear Mr. & Mrs. McKenzie:

Pursuant to the hearing recently held on the above-referenced case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjls

Enclosures

cc: Mr. Joseph Miller
2908 Ridge Road
Baltimore, Maryland 21207

People's Counsel

PETITION FOR ZONING VARIANCE

2nd Election District - 1st Councilmanic District
Case No. 87-430-A

LOCATION: West Side Ridge Road, 2242 feet South of the Centerline of Old Court Road (2906 Ridge Road)

DATE AND TIME: Monday, May 4, 1987, at 1:30 p.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 Zoning Variance to permit a front yard setback of 65 feet to the centerline of a street in lieu of the required 75 feet and side yard setbacks of 23 feet in lieu of the required 35 feet

Being the property of Michael R. McKenzie, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
W/S Ridge Rd., 2242' S of C/L
of Old Court Rd. (2906 Ridge
Rd.), 2nd District
MICHAEL R. MCKENZIE, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-430-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Michael R. McKenzie, 6017 Snowdens Run Rd., Sykesville, MD 21784, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING
Date 4/15/87
By *[Signature]*

ORDER RECEIVED FOR FILING
Date 4/15/87
By *[Signature]*

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
17th day of March, 1987

ARNOLD JABLON
Zoning Commissioner

Petitioner: Margaret V. McKenzie, et ux
Petitioner's Attorney: Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: April 10, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Zoning Petitions No. 87-415-A, 87-420-A, 87-421-A, 87-424-A, 87-425-A,
SUBJECT: 87-426-A, 87-427-A, 87-428-A, 87-429-A, 87-430-A, 87-431-A, 87-434-A,
87-435-A, 87-436-SpH, 87-438-A, 87-443-SpH, 87-445-A and 87-446-A

There are no comprehensive planning factors requiring comment
on these petitions.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
APR 14 1987
ZONING OFFICE

CPS-00A

Jean M. H. Jung
Deputy Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Md. 21204

Dear Ms. Jung:

Regarding case #87-430A, (my petition for a zoning variance), I would like
to respond to Mr. Miller's letter of June 15, 1987.

Prior to moving in January 1983 (Mr. Miller's dates are wrong), my family
and I resided at 2906 Ridge Road for many years. When we moved out the house
was in good condition. We could have rented it out at that time had we chosen
to do so because the property had always been well maintained. We knew that over
time however, the house would require many expensive corrections due to its
age. Having recently started a new business at the time, we did not want to add
being landlords to a growing list of responsibilities. We decided that it would
be best to build a new house on the lot and we have been saving money since
then to be able to do so. Over the period of time that the house has been
vacant, neighborhood vandals have abused it and caused the defects that Mr.
Miller cites. I have boarded over the missing door only to have it broken in
again and we have posted "no trespassing" signs, and they have been torn down.
The house is scheduled for demolition and I have not made further repairs.

The house that we have scheduled to build is a 44'x24' split foyer design
of modern construction and design. The completed house will cost between \$60,000
and \$70,000. If Mr. Miller thinks that I would rent this house to people that
would destroy it, as he insinuates, then he is not thinking too clearly. No
decision has been made whether we will rent or sell the new house.

My neighbor next door at 2904 Ridge Road, Mr. Ray Lewis, has offered encourage-
ment and wished me luck on my petition. He looks forward to a new home being
built next door to him. My neighbor across the street at 2909 Ridge Road, Mr.
Carmel Whetzel, is a contractor and has extended me much valuable advice on
proceeding with this project. He also has told me that he looks forward to an
improvement to my property.

I am attempting to alleviate the conditions that Mr. Miller complains of and
cannot understand his motivations for wanting to prevent me from doing so.

Thank you for hearing my petition and other thoughts concerning this matter.

Sincerely,

Michael R. McKenzie
Margaret V. McKenzie

cc: Mr. Joseph Miller

RECEIVED
JUL 6 1987
ZONING OFFICE

June 15, 1987

Ms. Jung
Deputy Zoning Commissioner
County Office Building
Room 109
111 West Chesapeake Avenue
Towson, MD 21204

Dear Ms. Jung:

I hope this letter reaches you prior to your decision in regard to
Mr. McKenzie's property. I would like to respond to Mr. McKenzie's letter
dated 3 June 1987.

Mr. McKenzie states in his letter that he has maintained his
property. This is not correct. He moved out of his house in 1980 or
1981. Since that time the house has been allowed to deteriorate and has
been kept in a state of disrepair. For example, the porch is falling, the
back door is missing, and windows are broken. At times there have been
unauthorized people in the house and I have called him but nothing was
done about it. For the past several years I have had to call the Health
Department to get him to cut the grass which had become overgrown and an
eyesore for the neighborhood.

For these reasons and the others I mentioned in my previous letter, I
am concerned that if he is allowed to build with the ultimate goal of
renting this property that it will be a source of problems for myself and
my neighbors. I do not feel, with his history of maintenance and upkeep,
that his choice of renters will be such that he or they will keep the
house and grounds in good repair.

Thank you very much for taking my concerns into consideration. I
look forward to hearing your decision.

Sincerely,

Joseph V. Miller
2908 Ridge Road
Baltimore, MD
301-655-7725

JVM/dma

cc: Mr. Michael R. McKenzie, et ux

RECEIVED
JUN 17 1987
ZONING OFFICE

May 4, 1987

Ms. Jung
Room 109
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Ms. Jung:

Because of the heavy rains today, my car would not start and I was unable
to attend the zoning hearing of my neighbors property. Therefore, I am
submitting this letter to you as my official complaint against the rezoning of
his property.

The following is a very rough drawing but I use it to indicate that my
property runs alongside and behind the property requesting rezoning.

J	J	J
J	J	J
J	J	J
J	J	J
J	J	J
J	J	J
J	J	J
J	J	J
J	J	J
J	J	J

Presently, the county requires a 35' variance. If my neighbors' request
be approved and he is allowed to move his house back on his property, I am
concerned that should it be necessary to drain his dry well or should his
septic tank overflow then it is very likely that the drainage would spill over
onto my land.

I also understand that this property might be used as rental income, in
which case proper care may not be taken in regard to the septic tank and dry
well and the chances of the spillage I have mentioned would be greater than if
my neighbor intended to live there himself.

Please feel free to call me for further information on my property lines
or any other questions you might have. Thank you for the opportunity to submit
my concerns regarding this rezoning hearing.

Sincerely,

Mr. Joseph V. Miller
2908 Ridge Road
Baltimore, MD
301-655-7725

RECEIVED
MAY 11 1987

ZONING OFFICE

May 4, 1987

Ms. Jung
Room 109
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Ms. Jung:

Because of the heavy rains today, my car would not start and I was
unable to attend the zoning hearing of my neighbors property. Therefore,
I am submitting this letter to you as my official complaint against the
rezoning of his property.

The following is a very rough drawing but I use it to indicate that
my property runs along side and behind the property requesting rezoning.

Miller Property 2908 Ridge Road	Rezone Property 2906 Ridge Road	Next Neighbor 2904 Ridge Rd
------------------------------------	------------------------------------	--------------------------------

Presently, the county requires a 35' variance. If my neighbors' request
for rezoning is approved and he is allowed to move his house back
on his property, I am concerned that should it be necessary to drain his
dry well or should his septic tank overflow that it is very likely the
drainage would spill over onto my land.

I also understand that this property might be used as rental income,
in which case proper care may not be taken in regard to the septic tank
and dry well and the chances of the spillage I have mentioned would be
greater than if my neighbor intended to live there himself.

Please feel free to call me for further information on my property
lines or any other questions you might have. Thank you for the
opportunity to submit my concerns regarding this rezoning hearing.

Sincerely,

Joseph V. Miller
2908 Ridge Road
Baltimore, MD
301-655-7725

JVM/dma

cc: Mr. Michael R. McKenzie, et ux

(Per our conversation of today, 27 May, I am forwarding a copy of this
letter to Mr. Michael McKenzie.)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 23, 1987

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

cc:

CHAIRMAN:

MEMBERS:

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

Ms. Margaret V. McKenzie
6017 Snowden Run Road
Sykesville, Maryland 21784

RE: Item No. 314 - Case No. 87-430-A
Petitioner: Margaret V. McKenzie, et ux
Petition for Zoning Variance

Dear Ms. McKenzie:

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 suit-
ability of the requested zoning.

Enclosed are all comments submitted from the members of the
Committee at this time that offer or request information on
your petition. If similar comments from the remaining
members are received, I will forward them to you. Otherwise,
any comment that is not informative will be placed in the
hearing file. This petition was accepted for filing on the
date of the enclosed filing certificate and a hearing
scheduled accordingly.

Very truly yours,

James E. Dyer/KRS
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 19, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for
items number 314, 315, and 316.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

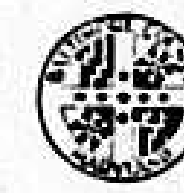
Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the hereto Petition for Variance(s) to permit

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

(CONTINUED FROM FRONT)

The current front setback requirement is 75' from the center of the road. We ask that a variance from the front setback requirement of 75' be granted to a 65' setback. This is requested so that we may build relatively even with the existing house adjacent to our property. If we were to build 75' back, the front of our house would look out onto the rear of our neighboring house.

If a new dwelling can be placed on this property in place of the existing one, it will be of benefit to the owners and to the community as well.



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

ARNOLD JABLON
ZONING COMMISSIONER

April 30, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Michael R. McKenzie
Mrs. Margaret V. McKenzie
6017 Snowdens Run Road
Sykesville, Maryland 21784

RE: PETITION FOR ZONING VARIANCE
W/S Ridge Rd., 2242' S of the c/l of
Old Court Rd. (2906 Ridge Rd.)
2nd Election District - 1st Councilmanic District
Michael R. McKenzie, et ux - Petitioners
Case No. 87-430-A

Dear Mr. and Mrs. McKenzie:

This is to advise you that \$69.37 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to
Towson, Maryland

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

No. 36033

DATE 5-4-87 ACCOUNT 01-615-000

Angie + Post Cat
 AMOUNT \$ 69.37

RECEIVED FROM Michael McKelzie
67-430-A

FOR Advertising & Postage

3 8082*****6937:1 8084F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Michael R. McKenzie
Mrs. Margaret V. McKenzie
6017 Snowdens Run Road
Sykesville, Maryland 21784

March 26, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
W/S Ridge Rd., 2242' S of the c/l of
Old Court Rd. (2906 Ridge Rd.)
2nd Election District - 1st Councilmanic District
Michael R. McKenzie, et ux - Petitioners
Case No. 87-430-A

TIME: 1:30 p.m.
DATE: Monday, May 4, 1987
PLACE: Room 301, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland


Zoning Commissioner
of Baltimore County

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

No. 30513

DATE 4/26/72 ACCOUNT 01-613

AMOUNT \$ 29.00

RECEIVED FROM Michael M. Kenner

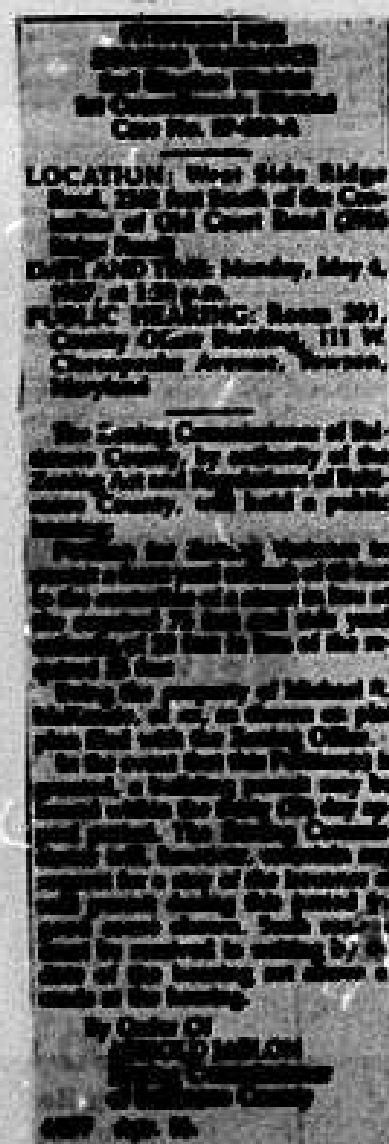
FOR Finis Ice Co. Voucher Item 314

0 0028*****35012 62761

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-430-A
Towson, Maryland

District 2nd Date of Posting April 18, 1967
 Posted for: Variance
 Petitioner: Michael R. McKenzie, et al.
 Location of property: 415 Ridge Rd, E 1/2 S of Sec 16 of T14R2E
(2904 Ridge Rd.)
 Location of Signs: In front of subject property 2904 Ridge Rd.
 Remarks: _____
 Posted by: L. J. Arata Date of return: April 24, 1967
 _____ Signature
 Number of Signs: 1



"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., April 16-----, 19--

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 16 1927

THE JEFFERSONIAN,

Susan Seiden O'Brien
Publisher

32.17

