

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 1 B02.3.C.1 to permit a side yard setback of 24 feet in lieu of the required 30 feet, and a rear yard setback of 22.5 feet, in lieu of the required 30 feet.

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

1. Need additional off street parking to accommodate all vehicles
2. Enclosed parking for inclement weather
3. Make back yard more safe and secure for 2 young children
4. Cover entryway for inclement weather
5. Provide defined play area for children

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.:

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
William B. Loden and Margaret S. Loden
322 Starlight Place
Baltimore MD 21093
Address
Phone No.
583-2158

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of July, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of July, 1987, at 10:15 o'clock.

(over)

IN RE: PETITION FOR ZONING VARIANCE
NW/corner Starlight Place,
and Lincoln Avenue
(322 Starlight Place)
8th Election District
4th Councilmanic District
William B. Loden, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-32-A

The Petitioners herein request a variance to permit a side yard setback of 24 feet in lieu of the required 30 feet, and a rear yard setback of 22.5 feet in lieu of the required 30 feet.

Testimony by the Petitioners indicated that they propose the construction of a 24' x 24' addition which will provide a two-car garage on the lower level and a 12' x 13' enclosed porch and a deck on the upper level. The property slopes fairly severely towards the rear so that the garage would be on the basement level. The family has two cars and a company car and there are three children, including a 15-month old baby. The addition will provide a covered walkway from the garage to the dwelling providing protection for the family in inclement weather and its location will assist in providing a safer back yard away from the busy traffic of Lincoln Avenue. The addition could not be located further north because of the existing air conditioner which is set in a concrete foundation. There were no Protestants.

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 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 25th day of July, 1987 that a side yard setback of 24 feet in lieu

ORDER RECEIVED FOR FILING
Date 7/25/87
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/25/87
By [Signature]

ZONING DESCRIPTION

Beginning on the west side of Starlight Place 1001 feet wide, at the intersection of Lincoln Avenue and Starlight Place. Begin Lot 1 in the subdivision of Ashley. Book No. 39 Folio 126. Also known as 322 Starlight Place in the 8th Election District.

PETITION FOR ZONING VARIANCE
8th Election District - 4th Councilmanic District
Case No. 88-32-A

LOCATION: Northwest Corner Starlight Place and Lincoln Avenue (322 Starlight Place)

DATE AND TIME: Friday, July 24, 1987, at 10:15 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 Zoning Variance to permit a side yard setback of 24 feet in lieu of the required 30 feet and a rear yard setback of 22.5 feet in lieu of the required 30 feet

Being the property of William B. Loden, 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

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

Arnold Jablon
Zoning Commissioner

July 28, 1987

Mr. & Mrs. William B. Loden
322 Starlight Place
Lutherville, Maryland 21093

RE: Petition for Zoning Variance
NW/corner Starlight Place and Lincoln Avenue
8th Election District, 4th Councilmanic District
Case No. 88-32-A

Dear Mr. & Mrs. Loden:

Pursuant to the recent hearing held in 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.

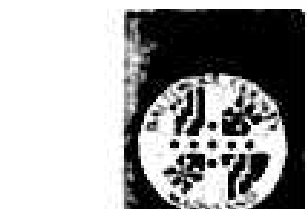
Very truly yours,

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

JMH:bjs

Enclosures

cc: People's Counsel



Dennis F. Rasmussen
County Executive

RE: PETITION FOR VARIANCE
NW/Corner Starlight Place and
Lincoln Ave. (322 Starlight
Place), 8th District
WILLIAM B. LODEN, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-32-A

ENTRY OF APPEARANCE

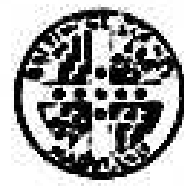
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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 18th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. William B. Loden, 322 Starlight Place, Baltimore, MD 21093, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JANG
DEPUTY ZONING COMMISSIONER

July 15, 1987

Mr. William B. Loden
Mrs. Margaret S. Loden
322 Starlight Place
Lutherville, Maryland 21093

RE: PETITION FOR ZONING VARIANCE
NW/cor. Starlight Place and Lincoln Ave.
(322 Starlight Place)
8th Election District - 4th Councilmanic District
William B. Loden, et ux - Petitioners
Case No. 88-32-A

Dear Mr. and Mrs. Loden:

This is to advise you that \$97.72 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 Zoning Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35993

DATE 7/15/87 ACCOUNT 3 01 415 000
SIGN & POST RETURNED 97.72
Mrs. Margaret S. Loden, 322 Starlight Place, Lutherville, Md. 21093

RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE #88-32-A

FOR: 0 0069*****9772: 52456

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
BUILDING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

88-32-A

District 8th Date of Posting July 7, 1987
Posted for: Variance
Petitioner: William B. Loden, et ux
Location of property: NW/cor. Starlight Place and Lincoln Ave.
(322 Starlight Place)
Location of sign: In front of 322 Starlight Place
Remarks:
Posted by: S. J. Gasta
Number of signs: 1 Date of return: July 16, 1987

Case No. 88-32-A

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 18th day of July, 1987.

Petitioner: William B. Loden, et ux Received by: James E. Dyer
Petitioner's Attorney: Chairman, Zoning Plans Advisory Committee

Mr. William B. Loden
Mrs. Margaret S. Loden
322 Starlight Place
Lutherville, Maryland 21093

June 12, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/cor. Starlight Place and Lincoln Ave.
(322 Starlight Place)
8th Election District - 4th Councilmanic District
William B. Loden, et ux - Petitioners
Case No. 88-32-A

TIME: 10:15 a.m.
DATE: Friday, July 24, 1987
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 36057

DATE 7/17/87 ACCOUNT 201-615-000
AMOUNT \$ 35.00
RECEIVED FROM: LUDEN RLM
FOR: ZONING VARIANCE
D 0021*****3500: 8066F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 2, 1987.

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 July 2, 1987.

THE JEFFERSONIAN,

Sharon Studer O'Brien
Publisher

NOTICE OF HEARING
LOCATION: Northwest Corner
Starlight Place and Lincoln Ave.
(322 Starlight Place)
DATE AND TIME: Friday, July 24,
1987 at 10:15 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commission of Baltimore County, by authority of the Zoning Act and the provisions of Baltimore County, will hold a public hearing for zoning variance to permit a side yard setback of 30 feet in lieu of the required 35 feet and a rear yard setback of 25.5 feet in lieu of the required 30 feet.

Being the property of William B. Loden, et ux, as shown on plan filed with the Zoning Office.

In the event that this Petitioner is denied a building permit may be obtained within 60 days of the date of the hearing, the Zoning Commission will, however, continue to request for a day of the hearing of and permit during this period for appeal cases above. Such request must be received in writing by the date of the hearing, at above or made at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
1987 July 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: June 17, 1987
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 88-22-A, 88-24-A, 88-25-A, 88-26-A,
88-29-A, 88-30-A and 88-32-A

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

Norman E. Gerber
Director

NEG:JCH:slb

RECEIVED
JUN 17 1987
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1987

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

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

Mr. & Mrs. William B. Loden
322 Starlight Place
Lutherville, Maryland 21093

RE: Item No. 458 - Case No. 88-32-A
Petitioner: William B. Loden, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Loden:

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.

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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:bjjs

Enclosures

cc: File

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4300

Paul H. Reinke
Fire Chief

May 26, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Wm. B. Loden, et ux

Location: NW/c Starlight Place and Lincoln Avenue

Item No. 458

Zoning Agenda: Meeting of 5/19/87

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 of _____ 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 operation.

() 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.

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

REVIEWER: [Signature] Noted and Approved: John F. O'Neill
Special Inspection Division

/s/

May 20, 1987

Mr. James E. Dyer
Supervisor - Zoning
Baltimore County Office Building
111 Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Dyer:

I am writing to you because I am extremely frustrated with the way my request for zoning variance has been handled by your department. I have probably been "too patient" and "too nice" for too long.

Let me begin by bringing you up-to-date on the "saga" of my request for zoning variance:

1. Background. My husband and I purchased a home in Lutherville a little more than two years ago. We need a garage for several reasons: We have no covered parking, we do not even have enough off-street parking space, and we want to construct the garage so that it separates our back yard from Lincoln Avenue (making it more safe and secure for our two young children). After months of trying, we found a builder, and had plans drawn-up, only to discover that we needed to apply for a variance because the proposed garage is a few feet closer to the property line on two sides than is "routinely approved".
2. Monday, March 16, 1987. My husband and I came to the counter at the Zoning Office, picked up the necessary forms, and received instructions from Mr. Rodney Moulden. We honestly were not advised that we needed to make an appointment when we were ready to file our request. In addition, the paperwork we received did not indicate that an appointment was required for filing.
3. Tuesday, April 7, 1987. I brought the completed forms and a check to the counter. Mr. Moulden advised me that I needed an appointment. He was very nice, however, and agreed to keep the paperwork (not the check), and look it over prior to our scheduled appointment. The next available date was April 16, and I scheduled an appointment with Mr. Moulden for 11:15 A.M. on this date.

Mr. James E. Dyer
Supervisor - Zoning
May 20, 1987
Page Two

4. April 13 or 14, 1987. I called Mr. Moulden to see if there were any problems, or if he had any questions about the paperwork. He indicated that he hadn't gotten to it yet, but that he would review it before our appointment.
5. Thursday, April 16, 1987. I met with Mr. Moulden at 11:15 A.M., as previously scheduled. He marked up some necessary changes on the paperwork, and even advised that he would have it typed and the copies made. I asked if it would be faster if I did it myself. He advised that it would be, and also suggested that I write a letter to the Zoning Commissioner requesting special consideration. I was not really angry when I left that day, because I thought Mr. Moulden was being most helpful, and that I would get some action with the letter.
6. Friday, April 17, 1987. I personally hand-delivered the following to Mr. Moulden:
- Copies of the now properly-completed paperwork.
 - A check.
 - A letter to the Zoning Commissioner (in envelope) - Mr. Moulden agreed to forward.
 - A copy of the letter to the Commissioner for Mr. Moulden.
7. Week of April 27, 1987. I called Mr. Moulden to find out the status of my request, and he advised me to call the next week.
8. Week of May 4, 1987. I, again, called Mr. Moulden. He, again, said to call the next week. In response to my inquiry, he advised that it would not help to call someone else.
9. May 12, 1987. I called Mr. Moulden. He advised that 12 hearings are scheduled each week. He said my request was #458, and that through 450 had been scheduled for May 11, 1987. Mr. Moulden assured me that we would be in the next group of 12, with a projected hearing date in mid-June.
10. May 20, 1987. I called today, and Ms. Karen Baker answered the phone for Mr. Moulden. She confirmed that we were #458. She also advised that we "filed May 7 - Rodney wouldn't have held paperwork", upon my input that we filed the second week of April.

Ms. Baker was nice, and understandably a bit reluctant to get in the middle. She did say that she sat in the meeting with you yesterday and that you're backed up some 60 items, and only "in the 100's". She said she would have Mr. Moulden call me.

Mr. James E. Dyer
Supervisor - Zoning
May 20, 1987
Page Two

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Mr. James E. Dyer
Supervisor - Zoning
May 20, 1987
Page Three

That brings us to this point. Mr. Moulden has not returned my call. I hope it is a simple misunderstanding or miscommunication.

I understand that you are the Supervisor of the Zoning Department. I feel that I have been "jerked around" by your department. My builder will be ready to start our job in two weeks. I doubt we would have to wait this long, if we were a "big builder" or had connections otherwise.

I will appreciate an explanation and input on how you can help.

Sincerely frustrated,

Margaret S. Loden
Margaret S. Loden
322 Starlight Place
Lutherville, Maryland 21093
Home - 381-2158
Work - 338-9120

cc: Mr. Rodney Moulden
Zoning Associate
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

✓ Mr. Arnold Jablon
Baltimore County Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Mr. Dennis Rasmussen
County Executive
400 Washington Avenue
Old Court House Mezzanine
Towson, Maryland 21204

ALL CC'S HAND-DELIVERED

Mr. James E. Dyer
Supervisor - Zoning
May 20, 1987
Page Three

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322 Starlight Place
Lutherville, Maryland 21093
Home - 583-2158
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Zoning Associate
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Baltimore County Zoning Commissioner
County Office Building
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Towson, Maryland 21204

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County Executive
400 Washington Avenue
Old Court House Mezzanine
Towson, Maryland 21204

ALL CC'S HAND-DELIVERED

May 20, 1987

Mr. James E. Dyer
Supervisor - Zoning
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

"HAND-DELIVERED"

Dear Mr. Dyer:

I am writing to you because I am extremely frustrated with the way my request for zoning variance has been handled by your department. I have probably been "too patient" and "too nice" for too long.

Let me begin by bringing you up-to-date on the "saga" of my request for zoning variance:

1. Background. My husband and I purchased a home in Lutherville a little more than two years ago. We need a garage for several reasons: We have no covered parking, we do not even have enough off-street parking space, and we want to construct the garage so that it separates our back yard from Lincoln Avenue (making it more safe and secure for our two young children).

After months of trying, we found a builder, and had plans drawn-up, only to discover that we needed to apply for a variance because the proposed garage is a few feet closer to the property line on two sides than is "routinely approved".

2. Monday, March 16, 1987. My husband and I came to the counter at the Zoning Office, picked up the necessary forms, and received instructions from Mr. Rodney Moulden.

We honestly were not advised that we needed to make an appointment when we were ready to file our request. In addition, the paperwork we received did not indicate that an appointment was required for filing.

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April 17, 1987

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Office of Planning and Zoning - Room 113
Towson, Maryland 21204

Dear Mr. Jablon:

I am writing to you because I need your help to expedite the processing of my request for a zoning variance.

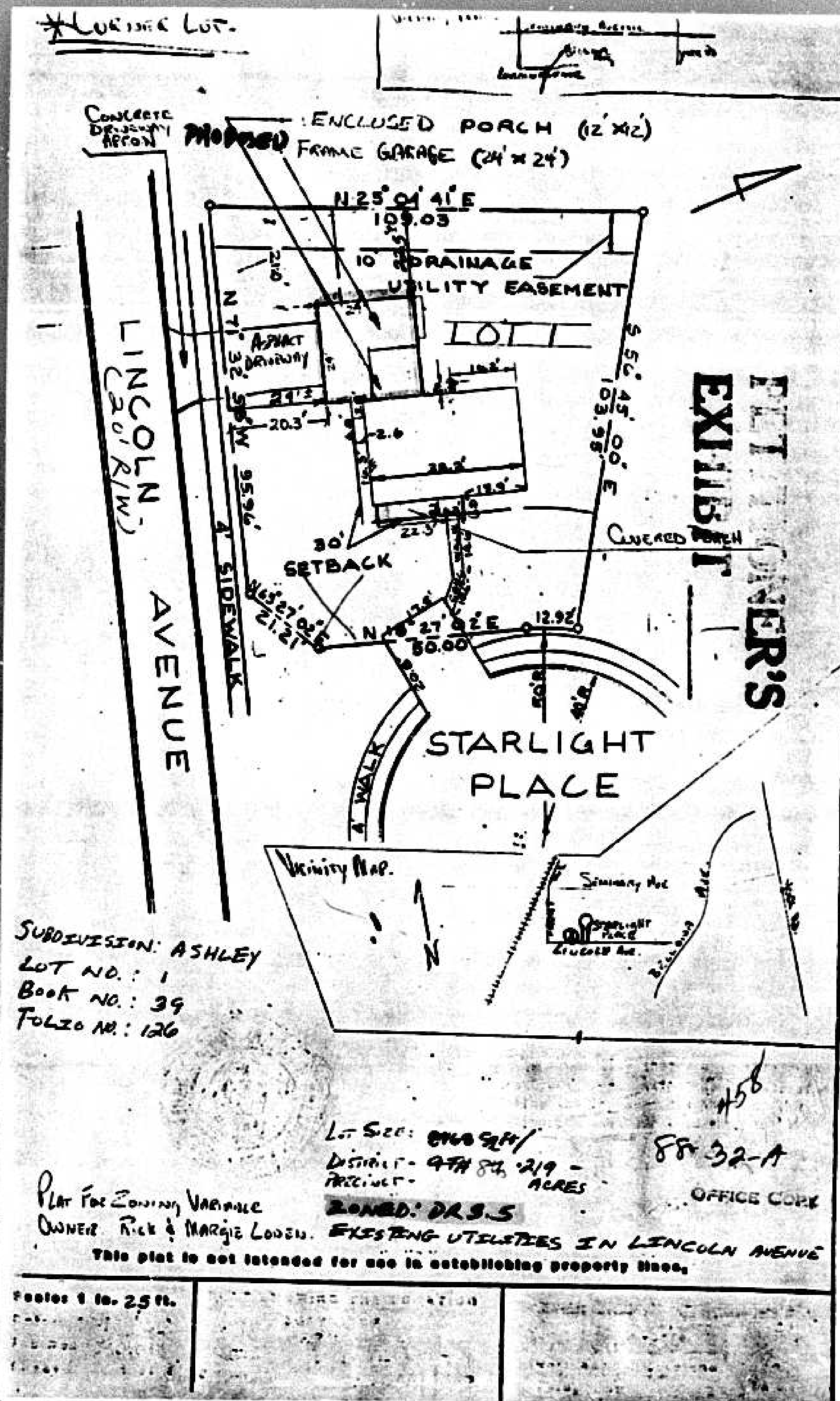
My husband and I have lived in Lutherville for a little over two years. Our house was new when we bought it, and does not have a garage. We need a garage for all of the standard reasons: including off-street parking and covered entry and exit. In addition, we have two young children, and the proposed garage will make our backyard more secure by separating it from the increasingly busy Lincoln Avenue.

It took us over six months to find a builder. We couldn't believe how hard it was to find someone who wanted to build a garage. We are pleased with the builder we plan to use, and happy that he can fit us into his schedule, to begin construction in the Mid-May timeframe.

Obviously, this is why we need your help. On March 16, my husband and I visited the Zoning Office in Towson, and Mr. Rodney Moulden (Zoning Associate) provided us with the required forms and instructions. We worked with the builder to complete the paperwork. I came back to the Zoning Office on April 7, prepared to file for the Variance, only to find out that an appointment was required. I scheduled an appointment, and met with Mr. Moulden yesterday.

Mr. Moulden was most helpful and advised me of some changes that we needed to make to the forms. (This is technical information, and it's confusing when you are not familiar with it!) I shared my frustrations and concerns about the timeframe with Mr. Moulden, and he suggested that I write to you.

Bottomline, we need your help. We don't want to lose our Builder, and we would like to have construction completed before the children want to play in the yard this summer.



Mr. Arnold Jablon
Baltimore County Zoning Commissioner
April 17, 1987
Page Two

Anything you can do to expedite the processing of our paperwork will be greatly appreciated.

Thank you.

Sincerely,

Margaret S. Loden
Margaret S. Loden
322 Starlight Place
Lutherville, Maryland 21093
(H) 583-2158
(W) 338-9120

cc: Mr. R. Moulden