

IN THE MATTER OF THE
THE APPLICATION OF
CHARLES H. WALLIS, ET UX
FOR A SPECIAL HEARING AND
VARIANCE ON PROPERTY LOCATED
ON THE SOUTHWEST SIDE OF
LORELEY BEACH ROAD, 520'
SOUTHEAST OF NORTH LORELEY
BEACH ROAD (NORTH LORELEY
BEACH ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 91-258-SPHA

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner denying all the requested petitions. The case was heard this day in its entirety.

There are three separate issues in the Petition before this Board: (1) a special hearing to determine the front orientation of an existing building; (2) clarification of Baltimore County Zoning Regulations (hereinafter "BCZR") Sections 415A.1 and 415A.2 regarding the storage of a recreational vehicle; and (3) variances necessary to permit two sheds to exist located directly upon the property line. Charles H. Wallis, the Petitioner/Appellant, represented himself in these petitions and presented well-researched and extensive testimony to justify his petition. The only protestant present was the next-door neighbor, Mrs. Mary Ensor, testifying for her son who resides on the neighboring property.

Mr. Wallis presented many extensive and large exhibits throughout the hearing. He also presented testimony from many of the other residents in the area in favor of his petition. The Board will attempt to go through and identify each and every exhibit and testimony attached thereto, but will let the record speak for itself.

Case No. 91-258-A Charles H. Wallis, et ux

The Board will first address the issue of determining which is the front and which is the rear of this specific site. It was always the Board's presumption that on any waterfront property the waterfront as indicated by its designation constituted the front yard of such a property. However, Case No. 85-106-SPH, Carol Dohme, directly addressed this issue. This case was heard in the Circuit Court under Case No. 85-CG-2764 by Circuit Court Judge Leonard S. Jacobson. Judge Jacobson ruled that this presumption regarding the waterfront could not be assumed carte blanche but that each case must be decided on its own merits through testimony and evidence. In the case of Carol Dohme, the waterfront side of the property was ruled to be the rear yard. Mr. Wallis presented through his exhibits and his testimony ample evidence using the standard criteria that the waterfront side of his property is in fact the rear yard. In deciding the front and rear yard, the Board must consider the principle entrance to the residence, the configuration of the neighboring residences, the orientation of the rooms within the house, and the general uses attributed to front and rear yards. Through his exhibits and testimony, Mr. Wallis met all the standards necessary to designate the waterfront side of his property as the rear yard and the Board will so order. In consideration of all of the above, the Board will especially note that there was no evidence in opposition to the orientation of the property whatsoever.

The next issue to be decided is the storage of his recreational vehicle. Mr. Wallis claims that a study of Section 415A of the BCZR does not indicate that he cannot store his recreational vehicle in what would now be classified as his front

Case No. 91-258-A Charles H. Wallis, et ux

yard. Section 415A.1 is the section of the zoning regulations that directly applies to his situation. Section 415A.1 states:

On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 1/2 feet from any rear or side lot line; however, when in a side yard it must be situated at least 8 feet to the rear of a lateral projection of the front foundation line of the dwelling....

While this statute does not specifically deny the storage of a recreational vehicle in the front yard of a dwelling, the entire purpose of the statute was to place these vehicles so that they would not be offensive to the neighborhood or other neighbors. This is especially noted in that they must be at least 8 feet to the rear of the front foundation line or entirely in the rear yard. The Board is not persuaded by Mr. Wallis's contention that he be allowed to park his recreational vehicle in the front yard. Since it is his request that the road side of his property be designated as the front yard, the Board will find that Section 415A.1 must be complied with, unless a specific variance otherwise be petitioned for.

At the time of the Petition, Mr. Wallis had two sheds on his property, both situated directly abutting the property line. Baltimore County regulations require that such sheds be set back from the property line 2.5 feet. Since the original hearing, there was testimony that the one metal shed had been totally removed and was no longer an issue. The Board will caution Mr. Wallis that if this shed is replaced it must be situated in full compliance with the BCZR or a variance for other placement be obtained. The wooden shed that still remains on the property situated directly on the property line was apparently erected without a permit or without any variance to permit its location. The Board is of the opinion

Case No. 91-258-A Charles H. Wallis, et ux

that this is a self-imposed hardship and that the variance therefore does not meet the requirements of BCZR Section 307 and therefore must be denied, and the shed must be either removed or relocated to bring it into compliance with the BCZR. The Board will also note that unless this shed is removed, there is virtually no place on the property to provide access for side or rear yard storage of the recreational vehicle.

ORDER

IT IS THEREFORE this 9th day of January, 1992, by the County Board of Appeals of Baltimore County

ORDERED that the waterfront side of the property be designated as the rear yard which will permit the retention of the structures already in place, not including the wooden shed in the side yard. The road side of the property will therefore be designated as the front yard; and it is further

ORDERED that the recreational vehicle must be stored in compliance with BCZR Section 415A.1 which requires side yard or rear yard storage; and it is further

ORDERED that the wooden shed located directly on the property line must be removed or relocated pursuant to the zoning regulations within 60 days from the date of this Order.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

S. Diane Levero
S. Diane Levero

William Clark
C. William Clark

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-258-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to determine the front orientation of the existing dwelling on the subject property and a clarification of Section 415A.1 and 2, and a variance to permit two existing accessory structures (sheds) to be located in the side yard with a side yard setback of 0 feet in lieu of the required rear yard placement and minimum setback of 2.5 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing on behalf of the Petition was Frank Wallis, Petitioner's father. Appearing as Protestants in the matter were Mary and Eugene Ensor, Teri Senez and Barbara Senez, and Barbara Karmasek.

Testimony indicated that the subject property, known as 6019 Loreley Beach Road, consists of 17,250 sq.ft. zoned R.C. 2 and is improved with a single-family dwelling, two sheds, a gazebo, and an above-ground swimming pool. The property is located within the Chesapeake Bay Critical Areas. Testimony indicated that as a result of a complaint filed with the zoning enforcement division of this Office regarding the accessory structures and sheds, Petitioners filed the instant Petitions for a special hearing. Mr. Wallis testified that the property had been in his family since 1982 and that he and his wife have

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Date 3/1/92
By [Signature]

on the property since 1982 and took title in 1989. Mr. Wallis testified that the front of his dwelling faces Loreley Beach Road with the rear facing the water. A photograph of the dwelling facing the water was marked Petitioner's Exhibit 2A and photographs of the dwelling facing the street were marked Petitioner's Exhibits 2B and 2C. Testimony indicated that access to the home is through a side door as depicted in a photograph marked Petitioner's Exhibit 2D. Mr. Wallis testified that some homes in the area face the water and others face the road and that it should be the homeowner's choice as to which side is the front. He noted that Baltimore County, in contrast to some other jurisdictions, has no clear cut definition as to which side is the front or the rear of waterfront property and a determination has been made on a case by case basis.

After due consideration of the testimony and evidence presented, including, but not limited to, the photographs submitted, in the opinion of the Deputy Zoning Commissioner, the front of the dwelling faces the water. There is no entrance to the property from the road side.

The next issue raised by Petitioners was to request a clarification of Section 415A.1 and 2 of the Baltimore County Zoning Regulations (B.C.Z.R.) regarding the parking of recreational vehicles on residential property. The recreational vehicle as depicted in Petitioner's Exhibit 2B is parked on the side of the house not facing the water, which in this case, has been determined to be the rear. Petitioner contends this side of the property is the front and, pursuant to his interpretation of Section 415A.1, there would be no restrictions regarding parking said vehicle in the front yard. In the opinion of the Deputy Zoning Commissioner, the parking of a recreational vehicle in the front yard is not permitted

is of right and thus a variance would need to be requested and granted prior to parking same in a front yard.

Petitioners thereafter presented testimony regarding their request for existing accessory sheds to be located in the side yard with a setback of 0 feet in lieu of the required rear yard placement with a minimum setback of 2.5 feet. Petitioner testified that the wooden shed, denoted as being 7.8 feet by 10 feet on Petitioner's Exhibit 1, has been on the property for a number of years in its present location. Further testimony indicated the metal shed, denoted as being 8.5 feet by 10 feet on Petitioner's Exhibit 1, was moved to its present location from the waterfront side of the property in approximately 1988. It should be noted that this information is contrary to the location survey site plan dated June 9, 1989, identified herein as Petitioner's Exhibit 7, which indicates that at that time the metal shed was located in the area determined to be the front yard. Petitioners introduced signed statements from their adjoining neighbors, identified as Petitioner's Exhibits 5A and 5B, indicating their consent to the relief requested for all accessory structures. Testimony indicated that Gene M. Ensor, who signed Petitioner's Exhibit 5A, is the son of Mary and Eugene Ensor, the Protestants. Mary Ensor testified that the adjoining property at 6017 Loreley Beach Road has been in her family for many years and was recently titled in her son's name. Mrs. Ensor indicated that her son has a learning disability and reads at about the fourth grade level. She testified that her son did not understand the contents of the document he signed and had been advised by Mr. Wallis that the sheds, in particular, were temporary. In response to her testimony, Mr. Wallis testified that he was not aware that Gene Ensor had any disabilities but conceded that he had indicated that the sheds were temporary

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By [Signature]

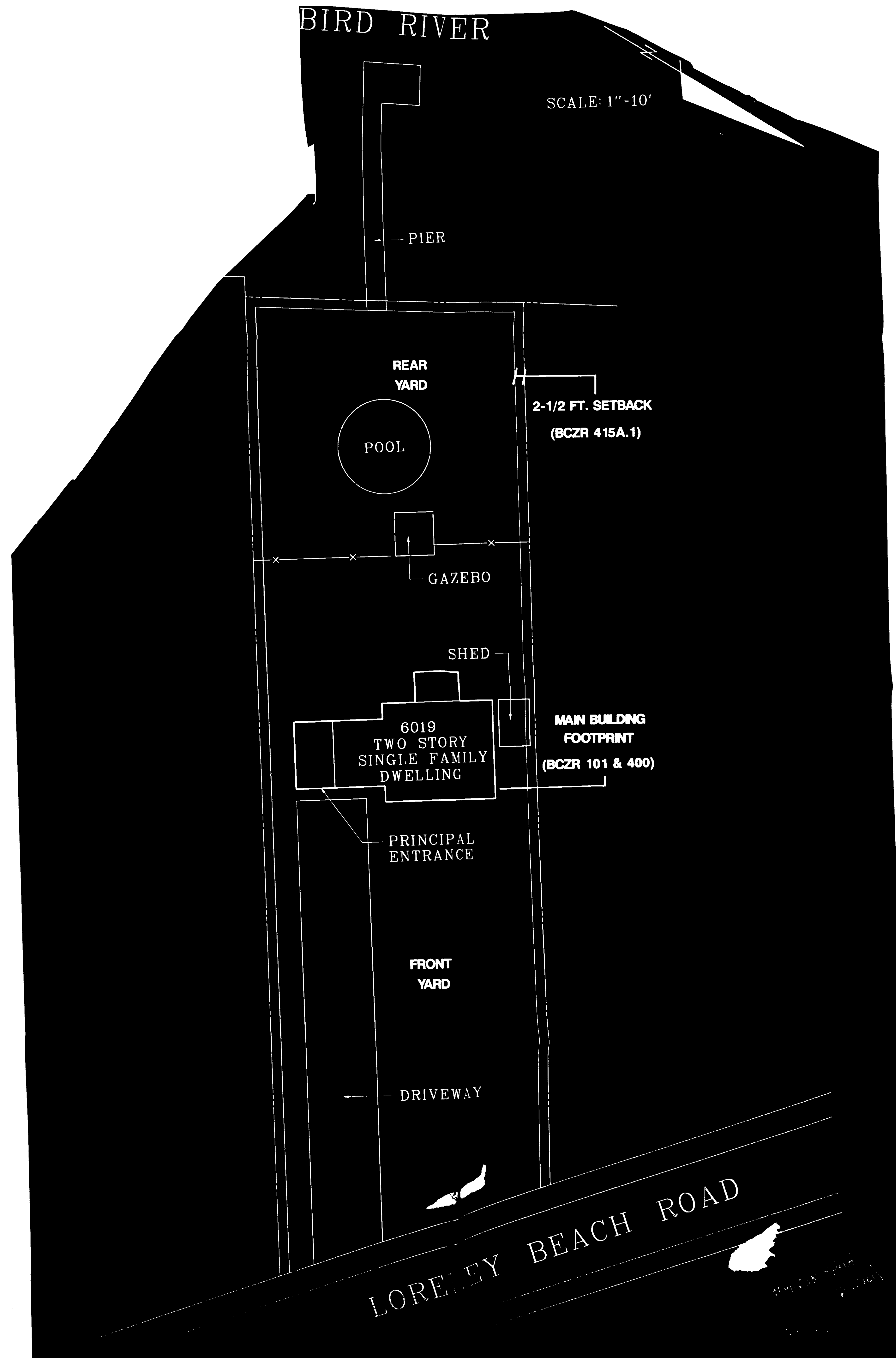
until the property owner and/or heirs could build additions to the property after resolving water and sewer problems. While the Ensors have no objections to the temporary location of the sheds on the property, Mrs. Ensor testified they should not be on the property line.

Barbara and Teri Senez of 6045 Loreley Beach Road appeared and testified in opposition to the relief requested. They indicated their main objection is to the location of the swimming pool and gazebo within 100 feet of the water. Barbara Senez testified that when they were preparing to build a swimming pool approximately 1 year ago, she was advised by Petitioners that they could not place a pool in the front yard due to the property being located within the Chesapeake Bay Critical Areas. Ms. Senez indicated that she looked into the matter and found that this was correct and as a result of her findings, questioned the appropriateness of the front yard location of the subject swimming pool and gazebo.

In response to questions raised regarding the front yard placement of the gazebo and pool on the property, Mr. Wallis indicated that a pool had existed on the property since 1983. Testimony indicated that the present pool is larger than the original pool that was placed there a number of years ago. It should be noted that the location survey introduced as Petitioner's Exhibit 7 does not denote any pool existing on the property at that time. Mr. Wallis indicated that no permits had been applied for or requested for the gazebo.

The arguments submitted by DEPRM do not address the appropriateness of the pool and gazebo as it was not part of the relief requested. The issue of the appropriateness has not been addressed in light of the facts and evidence presented, and the Board will take this case as to the front of the subject property

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Date 3/1/92
By [Signature]



Photograph:
Case 91-255-571A

[illegible]

gbe m smol

EXHIBIT 54

6017 A
Lorly Bend

Martha Roke
James R Roke

DEFENDANT'S
EXHIBIT 50

21
level 2

Request for Assistance

RFA# 90-5211

Date: _____ Suspense Date: August _____
 Dist. Co. 5 Elec. 11

CITIZEN INFORMATION

Name: Barbara Fenev
 Address: 6043 Loreley Beach Road
 21162

Telephone: 335-3016
 Form Initiated By: Betty

PROBLEM

@6019 Loreley Beach Road built swimming pool and gazebo without permit.

CITIZEN CONTACT

Date: _____
 Contact By: _____

AGENCY ACTION Station with standards will over rule and no jurisdiction. No violations to be taken to court.

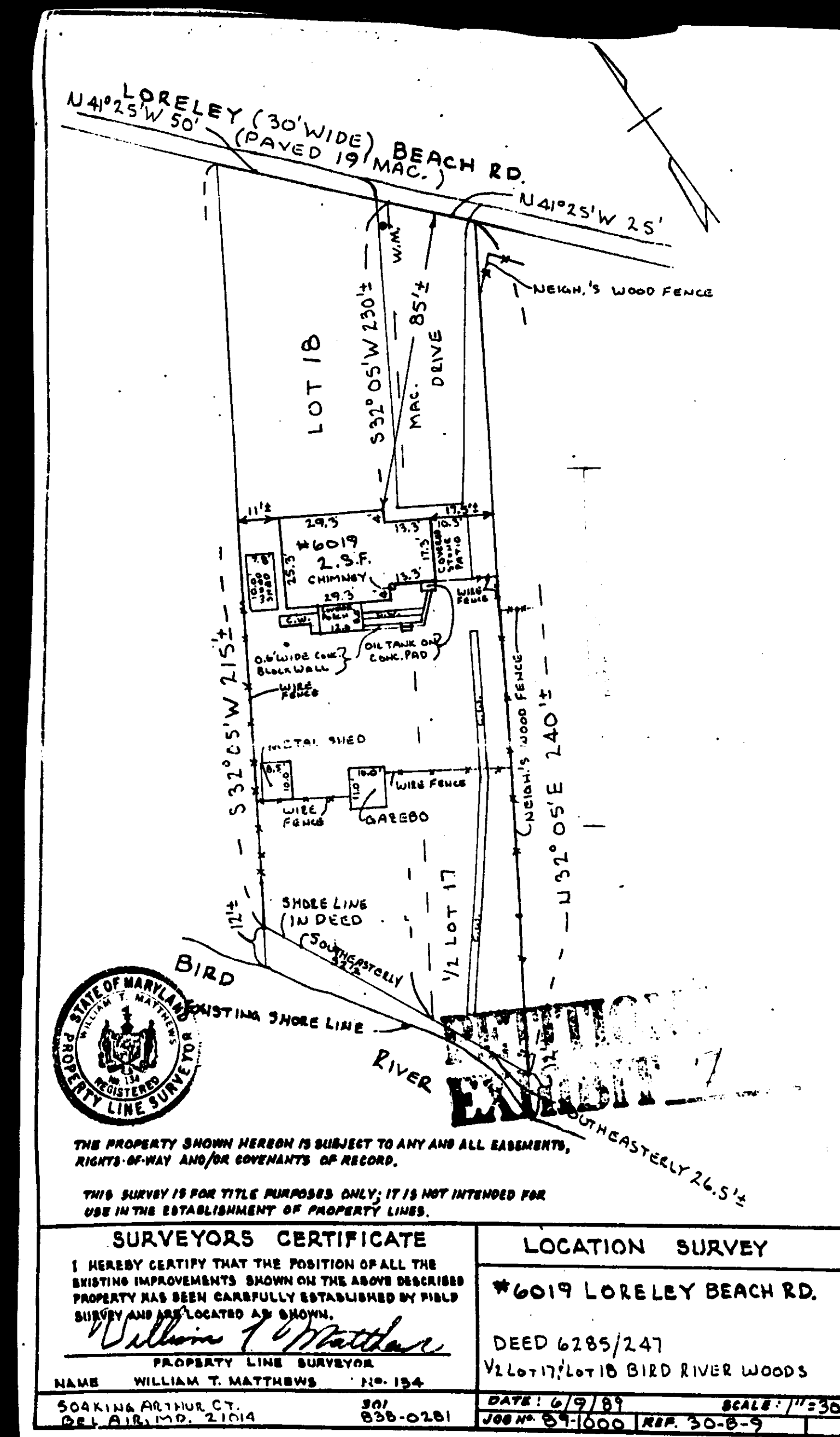
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FINAL DISPOSITION

PEPPER
EXHIBIT

Completed By: _____
 Date: _____
 DCA Staff Person: _____

CITIZEN'S SERVICE Division of Citizens Assistance
 BALTIMORE COUNTY



ZONING ENFORCEMENT

Baltimore County
Zoning Office
Towson, Maryland 21204

* * * * * CORRECTION NOTICE * * * * *

CASE NUMBER C-91-158
LOCATION: 6019 LORELEY BEACH ROAD
OWNER: CHARLES & VICKIE WALLIS

ELECTION DISTRICT: 11

DEAR OWNERS:

PLEASE BE ADVISED THAT AN INSPECTION OF THE ABOVE REFERENCED LOCATION REVEALED THAT THERE IS AN APPARENT VIOLATION AND THE FOLLOWING CORRECTION IS REQUIRED:

CEASE THE USE OF THE PROPERTY FOR:
(X) ACCESSORY STRUCTURES (SWIMMING POOL, GAZEBO, AND SHEDS) MUST BE LOCATED IN THE REAR YARD 2 1/2 FEET FROM THE SIDE AND REAR PROPERTY LINES OR A PETITION FOR VARIANCE (PUBLIC HEARING) MUST BE FILED IN THE ZONING OFFICE, ROOM 113.

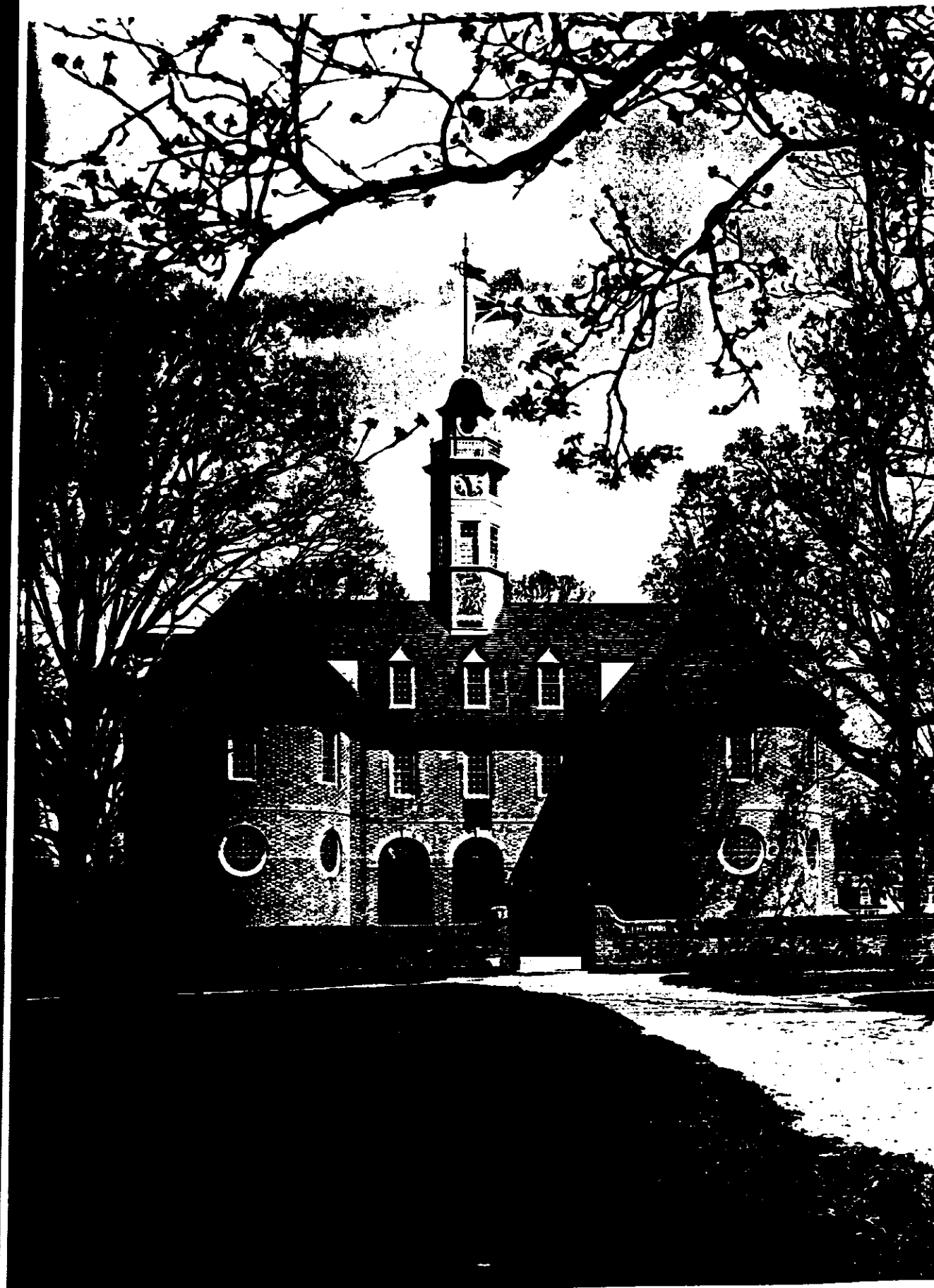
RECREATIONAL VEHICLES MUST HAVE A CURRENT LICENSE, AND BE LOCATED IN THE REAR YARD 2 1/2 FEET FROM THE SIDE AND REAR PROPERTY LINES.

PLEASE NOTE: It is Baltimore County's contention that your house faces the water.

IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CONTACT THIS OFFICE AT 887-5681. FAILURE TO COMPLY BY SEPTEMBER 30, 1990 WILL RESULT IN THE ISSUANCE OF A CITATION WHEREIN YOU ARE SUBJECT TO A CIVIL PENALTY OF \$200.00 FOR EACH VIOLATION, AND EACH DAY SHALL BE CONSIDERED A SEPARATE VIOLATION (CIVIL PENALTY BILL #132-85).

INSPECTOR: WASILEWSKI
111 W. Chesapeake Ave.
Towson, Maryland 21204

August 24, 1990



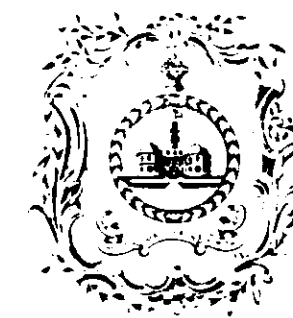
The Capitol.

Official Guide to

Colonial Williamsburg

Text by Michael Olmert

with
Drawings of Buildings by Peter C. Turner
Maps by Louis Luedtke and Design by Richard Stoddy



The Colonial Williamsburg Foundation
Williamsburg, Virginia

Pet Exh 4

Richard J. Murray
5835 Loreley Beach Rd. Whitmarsh Md. 21162

To Baltimore County Board of Appeals:

I am writing this letter in support of the appeal of Mr. Wallis's zoning request.

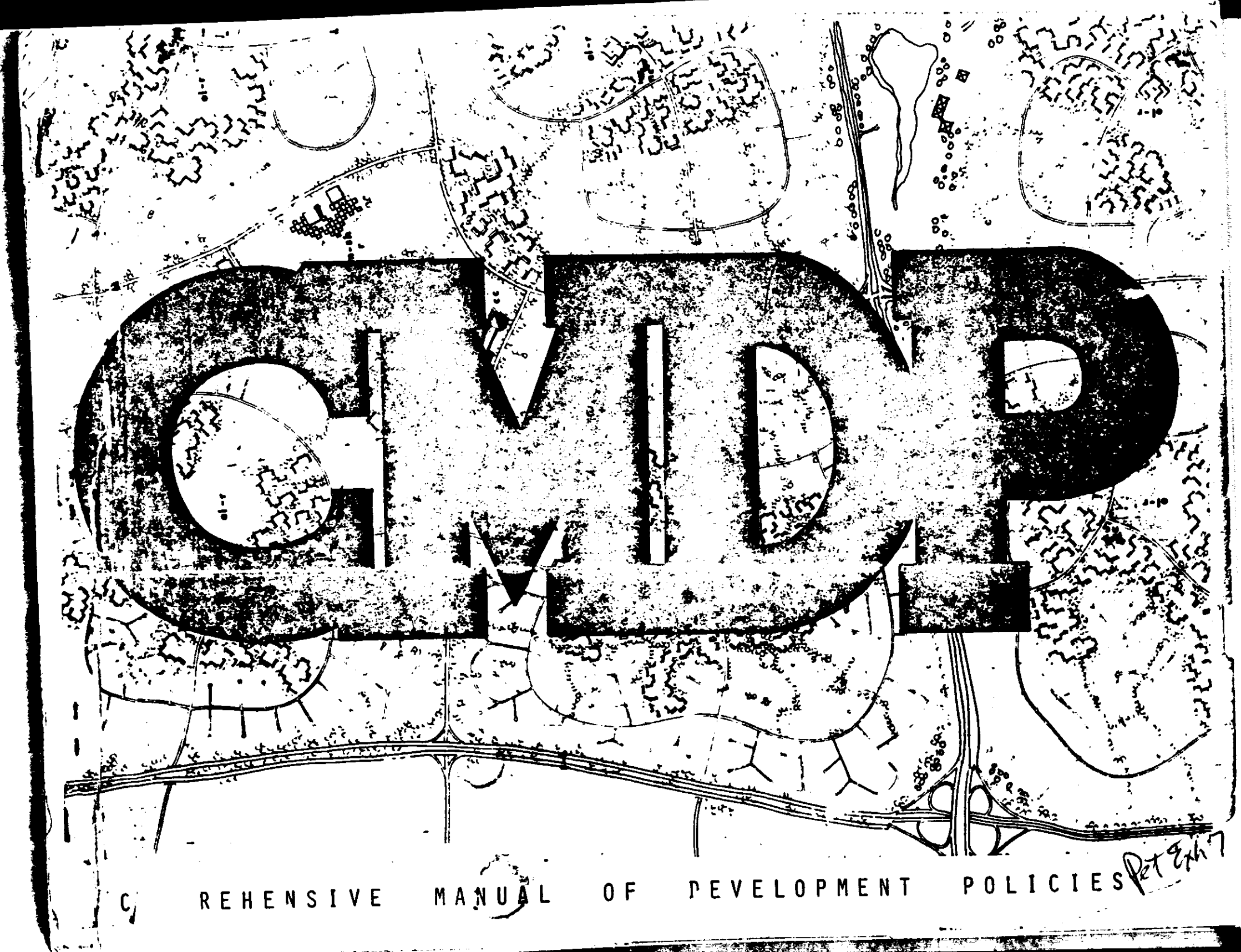
I feel Mr. Wallis is being treated unfairly because of the fact that the county will not let him select the front of his property, especially since I and others in this neighborhood were required by the county to select the front of our property at the time of obtaining a zoning variance or a building permit. This was required by the county zoning office. It was also explained that this selection would become permanent and irrevocable.

During my own application for a variance and at the hearing I was required to select the front of my house and was also required to indicate this selection on the copy of the plat and to sign the plat. I selected the road as my front and the water as the rear. This was kept by the county zoning office for their records. This was also included in the written decision copy that I received after the hearing.

After that time the water has always been the rear of my house for any matter that involved zoning regulations or zoning department consideration.

Because of my own experiences with zoning in Baltimore county it is obvious that you are not applying the same set of rules to Mr. Wallis that you applied in my own and other similar cases in this neighborhood! This is totally unfair and needs to be rectified. Mr. Wallis's home is similar to my own and many others in this neighborhood, to continue in its

Pet Exh 6



COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES

To Whom It May Concern:

Tuesday, Dec 10th 1990

Our names are James & Martha Roke and we live at 6021 Loreley Beach Rd. on White Marsh on Bird River. We live next door to Vicky & Charles Wallis. Our property is also on the water (waterfront). I did see Mr. Wasilewski when he came to look at the property next door. He was very nice but I didn't agree with all he said - such as - The Wallises had no front door and that the back yard was on the road. We told me most people on the water had a choice of which was their front & back - but since we have a garage on our yard that our road side would be our back yard. This didn't make sense then & doesn't make sense now. Also these structures - the gazebo and swimming pool are surrounded by a beautiful garden and rocks, lake statue, many plants and very nice looking outdoor furniture. I feel this yard as it is "is an asset to my home and the neighborhood. I hope you find in the Wallises' front as it is a lovely yard.

Sincerely,
James R. Roke
Martha Roke

P.S. I would be at this hearing today but I have a 9:00 appointment at the University of Md. Hospital.

Pet Exh 9

December 10, 1990

Mr. David C. Flowers
Baltimore County
Department of Environmental Protection
and Resource Management
401 Boyler Avenue - Room 416
Towson, Maryland 21204

Re: Zoning Hearing
6019 Loreley Beach Road

Dear Mr. Flowers:

A Special Hearing is being scheduled by the Zoning Department for the above property. This address is located in a Critical Area of the Chesapeake Bay. The hearing is to determine which yard is the front (our contention is that it is between the house and the road). A clarification has also been requested as to where we must park our camping trailer (presently it is parked on the driveway). A variance has been requested for the two temporary sheds on the side of the house (accessory structures are only supposed to be in the rear yard). It is our understanding that your office must comment on the listed issues.

All features shown on the Zoning Plat are existing. This hearing is to bring the property into compliance with Zoning regulations. Our use of the property is consistent with that of the neighborhood and has been such for decades. Maryland Critical Area legislation "grandfathers" such existing uses.

We care about the environment. We planted seven new trees last spring. We try to have the property fit the surroundings. We do what we can to minimize runoff and erosion (I attended the state program on Erosion and Sediment Control - card no. 13369). If it is your intention to issue comments that might adversely affect our case, we request the opportunity to meet with you and discuss our situation.

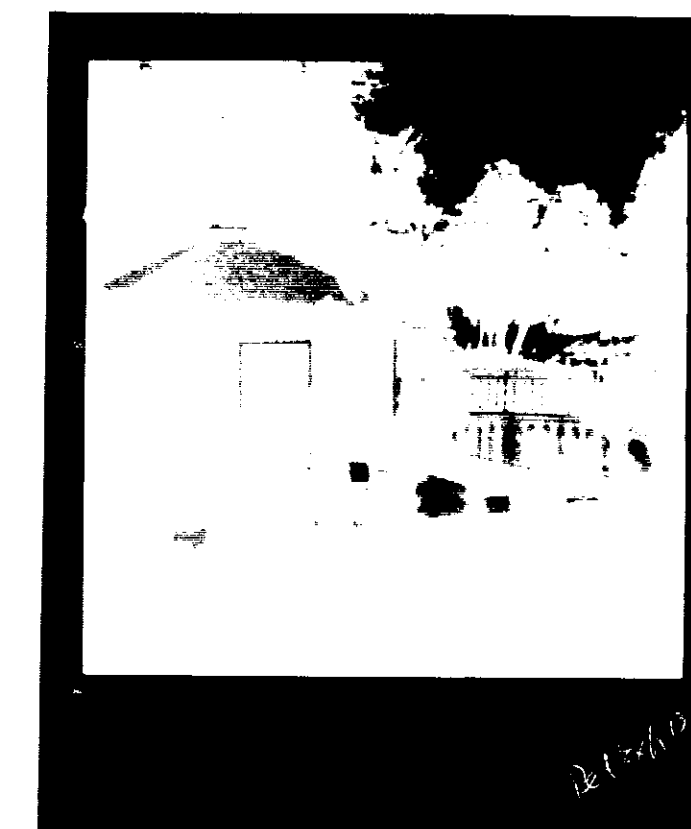
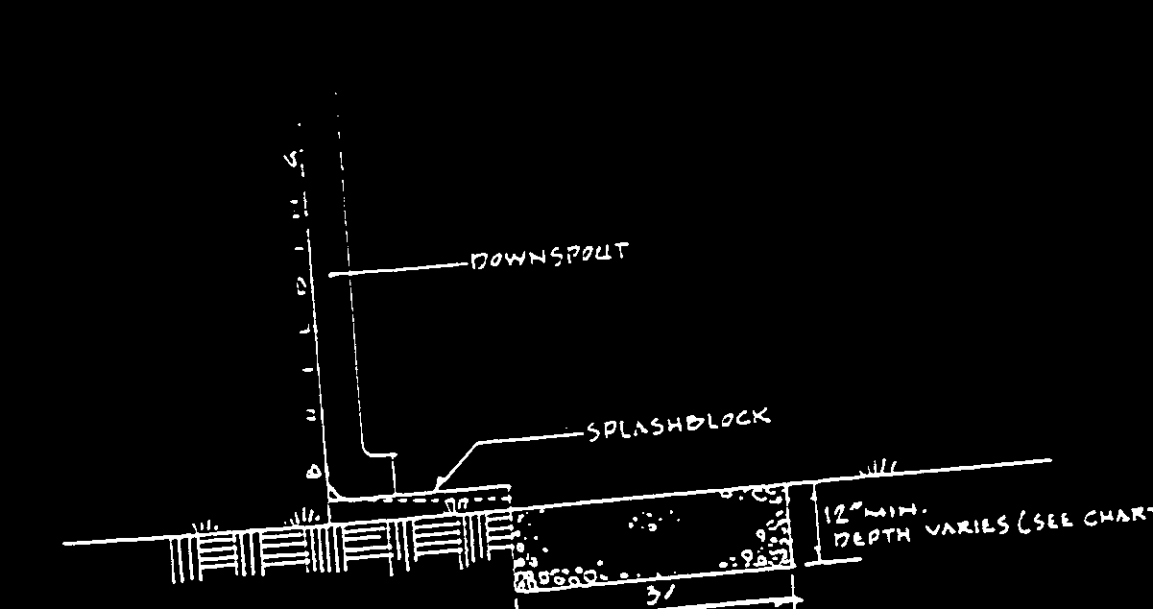
If you have any questions or need to contact us, please call either 335-7638 (home) or 235-3450 (work - Charles).

Sincerely,

Charles H. & Vickie J. Wallis

This is also a request for a findings of Chesapeake Bay

Pet Exh 10



PETITION FOR SPECIAL HEARING
 to a bank in an M.L.R. zone
 9th District
 Kenilworth Limited Partnership
 Petitioner

BEFORE
 COUNTY BOARD OF APPEALS
 OF
 BALTIMORE COUNTY
 At: 80-88-584

This case comes before the Board on appeal by the Petitioner in regard to the People's Council's participation in a hearing before the Zoning Commissioner to determine whether a lot is permitted in an M.U.E. zone. The Petitioner filed a petition for this special hearing under Section 500.7 of the Zoning Regulations of Baltimore County requesting the Commissioner to interpret Section 240.1 of the Regulations including a bank as a permitted use in an M.U.E. zone. On May 29, 1980, the People's Council filed an objection to this Board's decision in that case.

The question before the Board is whether the People's Council had secondarily defined powers given in the Charter of Baltimore County in opposing the Zoning Commissioner's special hearing and opposing the decision. The Petitioner argues that Baltimore County's Charter limits the powers of the People's Council, as created under Section 524.1 of the Charter, to an extent that it may not oppose a hearing on a petition from special hearings called by the Zoning Commissioner in that those hearings are not specifically enumerated in the County Charter's position describing the powers of the People's Council. Section 524.1.(b)(1) lists the process and duties of the office of the People's Council as follows:

The Petitioner argues that the following types of cases govern the People's Council's participation, "pending resolution of the merits and/or special exception".

Petitioner further argues that these cases are specifically relied out in the Charter, which is a governing entity. The document, this Section should be strictly construed, citing City of Columbia v. Weir, 350 S.W.2d 449, Harwood v. Marshall 91 (1956) and County Commission v. Brown, 50 1453 (1978). The Petitioner also argues that since the specific provisions of the People's Council are enumerated, appearance before and/or special hearing, not being so enumerated, cannot be implied from the intention of the Section 526.1, nor are they including to their right to appear as a party with its special exceptions.

Kohlwest Limited Partnership - 180-88-5PM

In the case before the board, the facts support the People's Council's appearance before and appeal from Zoning Commissioner's decisions. The Board finds that the issuance of the leave before the Zoning Commissioner was whether a special exemption (was) required or not of the last link within the framework of the M.L.S. zone and, therefore, not required a special exemption. The Board finds sufficient direct connection between the leave before the Zoning Commissioner at the hearing and the special exemption request which would follow if the Zoning Commissioner had ruled that such was needed. As a general rule, the Board believes our appearance by the People's Council, when challenged in hearing, should be deemed to be a use of such basic zoning as the fact of whether the activity is officially connected to, among other regulations, special exemptions or otherwise, that it is a "necessary component" to those functions. The Board notes the recent Charter Amendment according the People's Council's power to defend the Master Plan and will apply as similar tier when presented on an issue on the map.

For the reasons set forth in the foregoing Opinion, it is this 20th day of November, 1980, by the County Board of Appeals, ORDERED that the Petitioner's Motion in regard to this specific question of whether the People's Council has standing to appear before it in this matter be, and the same is hereby DISMISSED.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Miller, Jr.
Walter A. Miller, Jr., Chairman

John A. Miller
John A. Miller

2 2 1 1 1 1

WARRANT OF ARREST

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

Peter Max Zimmermann

RECEIVED FOR FILING
DATE 11/11/1964

ORDER RECEIVED FOR FILING
DATE *November 20, 1964*
W. H. H. H. H.

ORDER RECEIVED FOR FILING
DATE January 24, 1968
John P. Lutz

A/erl

Set 8th 14

which would necessitate a variance for the pool and gazebo, Petitioners will be permitted a reasonable period of time in which to either appeal this decision and/or Petition for the necessary variances. At that time, a determination will be made as to whether or not the front yard location of the pool and gazebo would meet the Critical Area requirements.

After due consideration of the testimony and evidence presented including a review of the location survey marked Petitioner's Exhibit 7 which indicates a distance of 11 feet between the Petitioner's property line and their dwelling, it appears the two sheds have been placed inappropriately and the variance should be denied. However, in light of the adjoining property owners having no objection provided the sheds are temporary, Petitioners will be given six (6) months from the date of this Order to relocate the sheds in compliance with the zoning regulations.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the Petition for Zoning Variance should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of March, 1991 in response to the Petition for Special Hearing to determine the front orientation of the subject property, that the front of the property faces Bird River and the rear faces the street; and

IT IS FURTHER ORDERED in response to the Petition for Special Hearing for a clarification of Sections 415.A.1 and 2 of the Baltimore County Zoning Regulations (B.C.Z.R.) that a Recreational Vehicle may not be parked in the front yard of a property without a variance; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit two existing accessory structures (sheds) to be located in the side

- 5 -

yard with a side yard setback of 0 feet in lieu of the required rear yard placement and minimum setback of 2.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners shall have six (6) months from the date of this Order in which to relocate the subject sheds in compliance with the B.C.Z.R.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/1/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 3, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing & Zoning Variance
SW/S of Loreley Beach Road, 520' SE of North Loreley Beach Road
(North Loreley Beach Road)
11th Election District, 5th Councilmanic District
CHARLES H. WALLIS, ET UX - Petitioner
Case No. 91-258-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on March 22, 1991 by Charles H. Wallis, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

cc: Mr. & Mrs. Charles H. Wallis
6019 Loreley Beach Road, White Marsh, MD 21162

Frank Wallis, 6047 Loreley Beach Road, White Marsh, MD 21162

Mr & Mrs. Eugene Ensor, P.O. Box 138, White Marsh, MD 21162

Ms. Barbara Senez, Ms. Teri Senez, and Ms. Barbara Karmasek
6045 Loreley Beach Road, White Marsh, MD 21162

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

- 6 -

CRITICAL AREA #195

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-258-SPHA

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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the determination as to the front orientation of this dwelling & lot & a determination/clarification of Sections 415.A.1, 2 AND a Zoning Variance to allow two accessory structures (sheds) to be located in the side yard with a zero ft. side setback in lieu of the required rear yard & 2 1/2 ft. setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing 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:	Legal Owner(s):	MAP NEXT
(Type or Print Name)	Charles Henry Wallis	64
Signature	Charles H. Wallis	DATE 3/1/91
Address	Vickie Jean Wallis	PO 1
City and State	White Marsh, Maryland	SP 6
Attorney for Petitioner:	6019 Loreley Beach Rd	4325-7634
(Type or Print Name)	Address	Phone No.
Signature	White Marsh, Maryland	21162
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
City and State	Name	
Attorney's Telephone No.:	Address	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28 day of Nov, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 13 day of Dec, 1991, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 3/1/91
By [Signature]

ESTIMATED LENGTH OF HEARING - 1/2 HR. + 15 MIN.
ALL MON./TUES./WED. - HEAT TWO MONTHS
REVISIT BY: CHIEF DATE 11-2-90

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 4/2/91

Posted for: Special Hearing & Variance

Petitioner: Charles Henry Wallis, et ux

Location of property: SW/S of Loreley Beach Rd, 520' + SE/N of Loreley Beach Rd

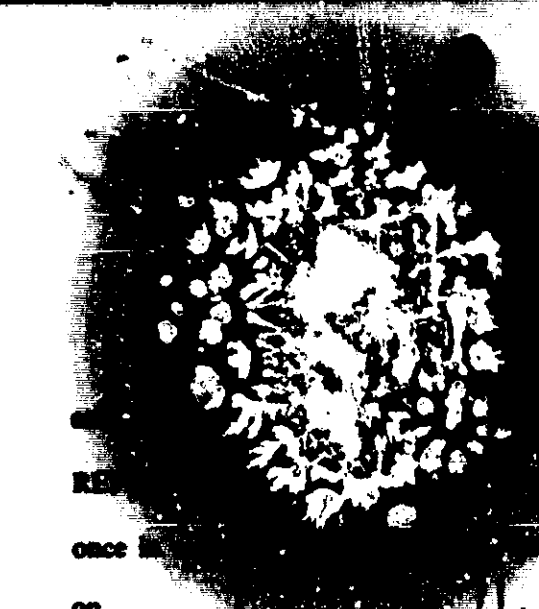
Location of Sign: Facing Loreley Beach Rd, approx 20' E of 700 West Ave, property of P.H. Ensor

Remarks:

Posted by: [Signature] Date of return: 4/1/91

Number of Signs: 2

NOTICE OF HEARING
The Board of Appeals of Baltimore County, in accordance with the provisions of the Zoning Law of Baltimore County, will hold a public hearing on the petition for a Special Hearing and Zoning Variance filed by Charles H. Wallis, et ux, on the above-captioned case, on the 13th day of December, 1991, at 11:00 A.M., in Room 304, County Office Building, Towson, Maryland 21204.



PUBLICATION

1-18-91

and the NORTHEAST TIMES
in Baltimore County, Md.,
the first publication appearing

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zeke Orlow
Publisher

\$75.18

#195

91-258-SPHA

ATTACHMENT TO PETITION FOR SPECIAL HEARING

For the petitioners to be required to consider the part of their property between the house and the water to be their front yard will create hardship and practical difficulty for the following reasons:

1. Will increase the hazard children are exposed to, moving the rear yard by the road front, closer to traffic. The security risk will also be increased.
2. Will or may have a negative impact on the environment because of:
 - a. increased runoff of stormwater
 - b. destruction of trees and other plantings established on the yard front facing the road.
3. Will deny a "private space" on the property where the petitioners can relax and enjoy their home without being exposed to the public. The road is much more "public" than the water.
4. To change the yard layout will:
 - a. detract from the aesthetics of the property
 - b. unnecessarily create expense
 - c. reduce lawful enjoyment of the home
 - d. deprive the petitioners of rights and benefits neighbors are permitted.
5. For such other reasons as may be advanced at the hearing.

CRITICAL AREA #195

91-258-SPHA
Zoning Description

Beginning at a point on the southwest side of Loreley Beach Rd. which is 30 ft. wide at a point 520 ft. southeast of North Loreley Beach Rd. thence running south east 75 ft. thence southwest 240 ft. thence northwest 85 ft. thence northeast 215 ft. to the point of beginning. Also known as 6019 Loreley Beach Rd. and located in the 11th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1126 Date of Posting: 4/18/91
Postcard No.: 412201
Petitioner: Charles H. Wallis, et ux
Location of property: 5415 Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
6019 Loreley Beach Rd.
Location of Sign: Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
7000 Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
Remarks: None
Posted by: James E. Dyer Date of return: 4/19/91
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 91-258-SPHA

Date: 4/18/91
Petitioner: Charles H. Wallis, et ux
Location of property: 5415 Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
6019 Loreley Beach Rd.
Location of Sign: Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
7000 Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
Remarks: None
Posted by: James E. Dyer Date of return: 4/19/91
Number of Signs: 1

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 4/19/91

Mr. & Mrs. Charles H. Wallis
6019 Loreley Beach Road
White Marsh, Maryland 21162

RE:
Case Number: 91-258-SPHA
5415 Loreley Beach Road, 520' (+/-) SE of North Loreley Beach Road
6019 Loreley Beach Road
11th Election District - 5th Councilmanic
Petitioner(s): Charles Henry Wallis, et ux
HEARING: WEDNESDAY, FEBRUARY 13, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 125.08 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 8, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-258-SPHA
5415 Loreley Beach Road, 520' (+/-) SE of North Loreley Beach Road
6019 Loreley Beach Road
11th Election District - 5th Councilmanic
Petitioner(s): Charles Henry Wallis, et ux
HEARING: WEDNESDAY, FEBRUARY 13, 1991 at 11:00 a.m.

Special Hearing: The determination as to the front orientation of this dwelling and lot and a determination/clarification of Section 415.A.1.2.

Variance: To allow two accessory structures (sheds) to be located in the side yard with a zero foot side setback in lieu of the required rear yard and 2-1/2 ft. setback.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Charles H. Wallis
Barbara Senz

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 91-258-SPHA

REC

No

Date:

11/18/90 11/18/90

DATE	TYPE	PRICE
010 - ZONING VARIANCE (1PL)	1	\$25.00
030 - SPECIAL HEARING (1PL)	1	\$35.00
TOTAL:		\$70.00

LAST NAME OF OWNER: WALLIS

0440480120WICHRC \$70.00
BA 001144AM11-02-70
Please make checks payable to: Baltimore County

Cashier Validation:

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 91-258

receipt

Date: 4/18/91
Petitioner: Charles H. Wallis, et ux
Location of property: 5415 Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
6019 Loreley Beach Rd.
Location of Sign: Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
7000 Loreley Beach Rd., Sec. 36, 1/4 Loreley Beach Rd.
Remarks: None
Posted by: James E. Dyer Date of return: 4/19/91
Number of Signs: 1

Please Make Checks Payable To: Baltimore County

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 1, 1991

Mr. & Mrs. Charles H. Wallis
6019 Loreley Beach Road
White Marsh, MD 21162

RE: Item No. 195, Case No. 91-258-SPHA
Petitioner: Charles H. Wallis, et ux
Petition for Special Hearing and
Zoning Variances

Dear Mr. & Mrs. Wallis:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

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

JED:jw

Enclosures

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
28th day of November, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Charles H. Wallis, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 3, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Edith May Souza, Item No. 166
Earlie E. and Linda R. Towe, Item No. 170
Roland H. and Darlene Farlow, Item No. 171
Kwan Woo Lee, Item No. 173
Harry E. Belsinger, et al., Item No. 175
Gary D. and Kathleen M. Stewart, Item No. 178
Dale A. and Cheryl Politynski, Item No. 181
Bruce D. and Mary W. Frith, Item No. 182
Eileen C. Misler, Item No. 183
William M. and Constance M. Pittner, Item No. 185
Key Federal Savings Bank, Item No. 186
Stephen D. and Wendy K. Wooten, Item No. 189
Brian D. and Tullie Briscoe, Item No. 193
Charles Henry and Vickie Jean Wallis, Item No. 195 ✓
Sharon Plaskowski, Item No. 196
Gary E. Stahl, Item No. 199
Keith E. and Terri L. Yeager, Item No. 201
Robert E. and Deborah L. Jennings, Item No. 202
Gloria P. Brown, Item No. 203
Robert E. and Karen F. Ege, Item No. 207
Javad Darbandi, Item No. 208
Thomas D. and Jeannette Considine, Item No. 209
Helen M. Vingling, Item No. 214

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEMS MUL. TPL/ZAC1

received
12/10/90

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

November 28, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 177, 181, 182, 186, 189, 193, 194, 195, 196, 199, 201, and 202.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

•

Memo to Mr. J. Robert Haines
February 11, 1991
Page 3

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Donald C. Outen, Acting Director
Department of Environmental Protection
and Resource Management

DCO:DCF:ju
Attachment

cc: The Honorable Ronald B. Hickernell
The Honorable Vincent Gardina
The Honorable Donald Mason
Mrs. Janice B. Outen

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

March 1, 1991

887-3353

Mr. & Mrs. Charles H. Wallis
6019 Loreley Beach Road
White Marsh, Maryland 21162

RE: PETITION FOR ZONING VARIANCE
SW/S Loreley Beach Road, 520' SE of North Loreley Beach Road
(6019 Loreley Beach Road)
11th Election District - 5th Councilmanic District
Charles H. Wallis, et ux - Petitioners
Case No. 91-258-A

Dear Mr. & Mrs. Wallis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been ruled on as set forth in the enclosed Findings of Fact and Conclusions of Law and the Petition for Zoning Variance has been denied in accordance with the attached Order.

In light of the determination made regarding the front of your property, the swimming pool and gazebo require variances in order to remain in their present location. In order to give you adequate time to determine whether or not you wish to appeal the decision rendered in this matter or file the necessary Petition for Zoning Variance, the Zoning Enforcement Division of this Office will be advised not to take any action for at least the next sixty (60) days. As you know, the property is located in a Chesapeake Bay Critical Area. As such, you are required to contact the Department of Environmental Protection and Resource Management (DEPRM) regarding all relief requested.

Please be advised that any party may file an appeal of the decision rendered in this matter to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjjs

cc: Ms. Barbara Senez, Ms. Teri Senez and Ms. Barbara Karmasek
6045 Loreley Beach Road, White Marsh, Md. 21162

Mr. & Mrs. Eugene Ensor
P.O. Box 138
White Marsh, Md. 21162

Chesapeake Bay Critical Areas Comm.
Tawes State Office Bldg., D-4
Annapolis, Md. 21404

DEPRM: People's Counsel; Case File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mrs. Ann Nastarowicz
DATE: February 15, 1991

FROM: Mr. David C. Flowers

SUBJECT: Special Hearing Item #195

The enclosed findings, from the Chesapeake Bay Critical Area Program, only address the two accessory structures (sheds) which are mentioned in the petition. No review of additional accessory structures on the property, such as the pool and gazebo, have been made. All development activities which take place after the date of Critical Area program approval must comply with Critical Area regulations.

If you have further questions, please contact me or Ms. Nancy Sanford at 887-2904.

DCF:ju
Enclosures
cc: Mrs. Janice B. Outen

CRITICAL AREA

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: J. Robert Haines
Zoning Commissioner
Ann Nastarowicz
Deputy Zoning Commissioner

FROM: John J. Sullivan, Jr.
Planner II

SUBJECT: Item #195

Petitioner, Charles H. Wallis, stated that he does not wish to file for any zoning variances for the pool and gazebo pending the outcome of this Special Hearing and Variance.

JJS/jat
cc: File



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. August 28, 1991

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 RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-258-SPHA

CHARLES H. WALLIS, ET UX
SW/S Loreley Beach Rd., 520' SE of N.
Loreley Beach Rd. (N. Loreley Beach Rd.)
11th Election District
5th Councilmanic District

SPH -to determine front orientation of
existing dwelling and clarification of
415.A.1 & 2;
VAR-setbacks/sheds (2)

3/1/91 - D.Z.C.'s Order DENYING Petitions.

ASSIGNED FOR: WEDNESDAY, DECEMBER 11, 1991 at 10:00 a.m.

cc: Mr. and Mrs. Charles H. Wallis
Mr. Frank Wallis

Mr. and Mrs. Eugene Ensor

Ms. Barbara Senez

Ms. Teri Senez

Ms. Barbara Karmasek

People's Counsel for Baltimore County

P. David Fields

Pat Keller

Public Services

J. Robert Haines

Timothy M. Kotroco

James E. Dyer

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon-Director of

Zoning Administration

LindaLee M. Kuszmaul
Legal Secretary

8/28/91 - Following parties notified of hearing set for December 11, 1991 at 10:00 a.m.:

Mr. and Mrs. Charles H. Wallis
Mr. Frank Wallis
Mr. and Mrs. Eugene Ensor
Ms. Barbara Senez
Ms. Teri Senez
Ms. Barbara Karmasek
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of
Zoning Administration



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

January 9, 1992

Mr. & Mrs. Charles H. Wallis
6019 Loreley Beach Road
White Marsh, MD 21162

RE: Case No. 91-258-SPHA
Charles H. Wallis, et ux

Dear Mr. & Mrs. Wallis:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Mr. Frank Wallis
Mr. & Mrs. Eugene Ensor
Ms. Barbara Senez
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

RECEIVED
JAN 10 1992
ZONING OFFICE



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

OLD COURTHOUSE
400 WASHINGTON AVE.
TOWSON, MARYLAND 21204
(301) 887-3180

January 28, 1992

Mr. Charles H. Wallis
6019 Loreley Beach Road
White Marsh, MD 21162

RE: Case No. 91-258-SPHA
Charles H. Wallis, et ux

Dear Mr. Wallis:

This is in answer to your letter of January 17, 1992 regarding the storage of your recreational vehicle. At your hearing in the above-captioned matter, it was your specific request that the waterfront side of your property be designated as the backyard and the road side as the front yard. Since there was no opposition testified to whatsoever in this matter, the Board made a finding of fact that the waterfront side is in actuality the backyard. In doing so, you have subjected yourself to the Baltimore County Zoning Regulations which state that your recreational vehicle must now be stored in the rear yard.

This Board believes that any hardship which you now face concerning the storage of your recreational vehicle has been self-imposed by you. From the testimony and evidence received during your hearing, the Board can see no justification whatsoever to granting a variance permitting the storage of this vehicle in the front yard, and therefore no changes or amendments to its original opinion and Order dated January 9, 1992 will be entertained.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

WTH:kcw

1/21/92 - Letter received from Charles H. Wallis requesting reconsideration of Order/Opinion issued January 9, 1992.

1/28/92 -Letter to Mr. Wallis in response to above from Board Chairman -original Opinion and Order dated January 9, 1992 will not be changed or amended.

In the matter of:
CHARLES H. WALLIS, et ux
SW/S Loreley Beach Rd., 520' SE of
N. Loreley Beach Rd.
11th Election District
5th Councilmanic District

* Before the
BALTIMORE COUNTY
BOARD OF APPEALS
* Case No. 91-258-
SPHA

SUBPOENA

TO: Mr. Len Wasilewski
Baltimore County Zoning Office
111 W. Chesapeake Ave.
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO personally appear and produce documents at : The Baltimore County Board of Appeals
111 W. Chesapeake Ave., Room 301
Towson, Maryland 21204
on Wednesday the 11th day of December, 1991 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents:
Files associated with 6019 Loreley Beach Rd.
Case No. C-91-158 was stated on correction notice (no need to go back in records beyond last 3 years).

The following cases before the Zoning Commissioner of Baltimore County: (Opinions only)
No. 87-277-A, Variance - Francis J. Woodward, III, et ux petitioners

No. 87-28-A, Variance - Richard Murray, et ux petitioners

No. 85-106-SPH, Special Hearing - Carol Dohme, et al, petitioners. including Circuit Court for Baltimore County Opinion (Case No. 85 CG 2764).

Requested by: Charles H. Wallis
335-7638

Mr. Sheriff:

Please issue the above summons.

County Board of Appeals

COST \$30.00
SUMMONED 11-27 1991
NOT SERVED
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPPERBACK

In the matter of:
CHARLES H. WALLIS, et ux
SW/S Loreley Beach Rd., 520' SE of
N. Loreley Beach Rd.
11th Election District
5th Councilmanic District

* Before the
BALTIMORE COUNTY
BOARD OF APPEALS
* Case No. 91-258-
SPHA

SUBPOENA

TO: Department of Environmental Protection
& Resource Management
Baltimore County
Bureau of Community Services
7701 Wise Avenue
Baltimore, Maryland 21222

YOU ARE HEREBY COMMANDED TO produce documents at:
The Baltimore County Board of Appeals
111 W. Chesapeake Ave., Room 301
Towson, Maryland 21204
on Wednesday the 11th day of December, 1991 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents:
Files associated with 6019 Loreley Beach Rd.
(approx. July, 1990, no need to go back in records beyond 3 years).

Requested by: Charles H. Wallis
335-7638

Mr. Sheriff:

Please issue the above summons.

County Board of Appeals

* Before the
BALTIMORE COUNTY
BOARD OF APPEALS
* Case No. 91-258-
SPHA

SUBPOENA

TO: Bureau of Traffic Engineering
Baltimore County Dept. of Public Works
401 Bosley Ave., Courts Building Suite 405
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO produce documents at:
The Baltimore County Board of Appeals
111 W. Chesapeake Ave., Room 301
Towson, Maryland 21204
on Wednesday the 11th day of December, 1991 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents:
Files associated with "No Parking" signs
installation at the southeasternmost terminus
of Loreley Beach Road (approx. June, 1990).

Requested by: Charles H. Wallis
335-7638

Mr. Sheriff:

Please issue the above summons.

County Board of Appeals

COST \$30.00
SUMMONED 11-27 1991
NOT SERVED
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPPERBACK

In the matter of:
CHARLES H. WALLIS, et ux
SW/S Loreley Beach Rd., 520' SE of
N. Loreley Beach Rd.
11th Election District
5th Councilmanic District

* Before the
BALTIMORE COUNTY
BOARD OF APPEALS
* Case No. 91-258-
SPHA

SUBPOENA

TO: Building Inspection Department
Baltimore County
111 W. Chesapeake Ave.
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO produce documents at:
The Baltimore County Board of Appeals
111 W. Chesapeake Ave., Room 301
Towson, Maryland 21204
on Wednesday the 11th day of December, 1991 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents:
Files associated with 6019 Loreley Beach Rd.
including Request for Assistance # 90-5211
dated August 1990 (no need to go back in records beyond last 3 years)

Requested by: Charles H. Wallis
335-7638

Mr. Sheriff:

Please issue the above summons.

County Board of Appeals

COST \$30.00
SUMMONED 11-27 1991
NOT SERVED
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPPERBACK

In the matter of:
CHARLES H. WALLIS, et ux
SW/S Loreley Beach Rd., 520' SE of
N. Loreley Beach Rd.
11th Election District
5th Councilmanic District

* Before the
BALTIMORE COUNTY
BOARD OF APPEALS
* Case No. 91-258-
SPHA

SUBPOENA

TO: Bureau of Animal Control
Baltimore County
13800 Manor Rd.
Baldwin, Maryland 21013

YOU ARE HEREBY COMMANDED TO produce documents at:
The Baltimore County Board of Appeals
111 W. Chesapeake Ave., Room 301
Towson, Maryland 21204
on Wednesday the 11th day of December, 1991 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents:
Files associated with 6019 Loreley Beach Rd.
and 6045 Loreley Beach Rd. (no need to go back in records beyond 3 years).

Requested by: Charles H. Wallis
335-7638

Mr. Sheriff:

Please issue the above summons.

County Board of Appeals

COST \$30.00
SUMMONED 12-19 1991
NOT SERVED
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPPERBACK

ZONING ENFORCEMENT

Baltimore County
Zoning Office
Towson, Maryland 21204

91-258-SPHA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer
Zoning Supervisor

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. 195
Petitioner: CHARLES WALLIS

VIOLATION CASE # C-91-158

LOCATION OF VIOLATION 6019 Loreley Beach Road

DEFENDANT

ADDRESS

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS
BARBARA SENEZ 6045 Loreley Beach Road

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

ech/

January 17, 1992

County Board of Appeals
of Baltimore County
Old Courthouse - Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 91-258-SPHA
Charles H. Wallis, et ux.

Gentlemen:

In reading the opinion and order on the above referenced case, I noticed the Board was not aware that a variance was requested for the storage of a recreational vehicle in the front yard (if the Board determined such a variance was required during the special hearing). Please consider this request and amend the decision if you see fit.

To assist in your decision, I will briefly restate the reasons given at the hearing for this request.

Hardship and Practical Difficulty:

1. No drive currently to either side of the house.
2. Setbacks of house from side yards are 8 feet and 11 feet as shown on plot. Difficult to place a 6 foot wide trailer through that space.
3. Needless increase of impervious area on site. Currently trailer is placed on paved driveway, minimizing impervious area.
4. No complaints or objections from neighbors.

Thank you for your consideration of this request. Please note that this situation is not self created.

Sincerely,

Charles H. Wallis
Charles H. Wallis

CHW/gg

February 1, 1991

Ms. Vickie Wallis
6019 Loreley Beach Road
White Marsh, Maryland 21152

Dear Ms. Wallis:

You have completed the requirements for renewal of your family day care registration. Enclosed please find your registration certificate authorizing you to care for a maximum of six day care children, no more than two under 2 years of age including your own children under age two.

Your registration will expire on January 31, 1993. Ninety days prior to this date, you will be sent an application packet for renewal of your registration.

We wish to thank you for your cooperation in completing the requirements for your registration renewal.

Sincerely,

Conny Stahl
Conny Stahl
Licensing Specialist
234-5047

Betty Botko
Betty Botko
Regional Manager

Enclosure

March 22, 1991

Mr. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petitions For Special Hearing
and Zoning Variance - SW/S of
Loreley Beach Road, 520' SE of
North Loreley Beach Road
11th Election District
5th Councilmanic District
Charles H. Wallis, et ux - Petitioners
Case No. 91 - 258 - A

Dear Mr. Haines:

It is the desire of the Petitioners to file an appeal of the decision rendered on the above cited case. We contacted Ms. Charlotte Radcliffe as directed on the cover letter accompanying the decision, dated March 1, 1991. She stated that this letter, along with the filing fee of \$125 and posting fee of \$25 were all that were needed to file an appeal. Please note that this appeal is being filed within the thirty day time limit.

Very truly yours,
Charles H. Wallis
Charles H. Wallis

This appeal is for the special hearing only as I am informed I would have to pay another \$125 for appeal, the variance.

CHW
3/22/91

for sketch office
Zoning Office
J. H. Haines

O.K.
To release
2/28

Mr. Lawrence E. Schmidt
Zoning Commissioner
Baltimore County, Maryland
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 91-258 SPHA
Return of Exhibits



Dear Mr. Schmidt,

Mr. William T. Hackett, Chairman of the Board of Appeals for Baltimore County indicated at the above referenced hearing before the Board that several of the exhibits could be returned if no appeals were made of their decision. No appeals were filed and the exhibits are now in possession of your office. I have been told to write a letter requesting the return of these items. Specifically I would like Exhibit numbers 3, 5, 8 and 12 returned. They are rather large and awkward for the County to store. I am aware that your office will need to microfilm the exhibits before they can be released.

A variance hearing is coming up where these exhibits might prove useful. If your office is not able to release these exhibits before the hearing it would be appreciated if they could be made available for display. It is not intended to re-submit the exhibits directly, but to introduce them

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Loreley Beach Road, * DEPUTY ZONING COMMISSIONER
2180' E of Stevens Road *
(5835 Loreley Beach Road) * OF BALTIMORE COUNTY
11th Election District *
Richard Murray, et ux, * Case No. 87-28-A
Petitioners *

The Petitioners herein request a zoning variance to permit three recreational vehicles (two boats and one trailer or motor home) to be stored on the lot identified above in lieu of the permitted one recreational vehicle.

Testimony by one of the Petitioners indicates that the existing dwelling faces Loreley Beach Road with Bird River immediately to the rear of the property. The Petitioners already own two recreational vehicles, 16-foot and 18-foot runabout boats, and are considering the acquisition of a land recreational vehicle such as a trailer or motor home. Existing trees on the property include approximately 20 white pine, 20 oaks and 4 fruit trees.

There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, and plant habitat; and the granting of the requested variance will not adversely affect the health, safety, and general welfare of the community, it is determined that the variance requested should be granted.

DATE 3/26/91
BY Betty Botko
Regional Manager

IN RE: PETITION ZONING VARIANCE * BEFORE THE
W/S of Beach Road, 177.7' E * ZONING COMMISSIONER
of the centerline of Opie Road *
(11303 Beach Road) - 11th * OF BALTIMORE COUNTY
Election District *
Francis J. Woodard, III, * Case No. 87-277-A
et ux, *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of one foot in lieu of the required 2 1/2 feet for an accessory structure (garage), as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, located on Beach Road and zoned R.C.2, is improved with the Petitioners' home, which is approximately 85 years old. The property also borders on Bird River. The Petitioners propose to construct a 16' x 26' garage 81 1/2 feet from Beach Road, one foot from the west property line. The house is located 116 1/2 feet from Beach Road. The garage would be constructed at the end of the existing driveway. The Petitioners stated that the front of their home faces the water and that the rear is toward Beach Road. Some homes in the area face the water, while others face the road. There is no continuity.

The Petitioners, however, seek relief from Section 400.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

The Petitioners requested a determination as to whether the garage would be in the front or rear yard, and if the former, whether their Petition should include the appropriate variance request. Based on the facts presented, it is determined that indeed the dwelling faces the water, and therefore, there is no need to amend the Petition to request a variance to permit the garage in

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
FRANK WALLIS	6047 LORELEY BEACH RD
Charles Wallis	6019 Loreley Beach Rd
VICKIE J WALLIS	6019 Loreley Beach Rd

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
MARY ENSOR	PO Box 138, MD 21162
EUGENE ENSOR	6019A Loreley Beach Rd
TER. SENTER	6045 Loreley Beach Rd
Barbara Karmasak	6045 Loreley Beach Rd
Barbara Lundy	6045 Loreley Beach Rd

Plat to accompany Petition for Zoning Variance ☒ Special Hearing

PROPERTY ADDRESS: 6019 Loreley Beach Road
Subdivision name: Un-recorded Deed: Liber 8204 Page 477
plat book# , folio# , lot# , section#
OWNER: Charles H. & Vickie J. Wallis
Dwellings are 1-family detached
6019 is a registered family child care home
in compliance with BCZR 424

Scale of Drawing: 1" = 50'

North
date: 3/23/91
prepared by: CHW

LOCATION INFORMATION
Councilmanic District: 5
Election District: 11
1"-200' scale map: NE - 2K
Zoning: R.C. 2
Lot size: 0.4 ± 17,250 ±
acres square feet
SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒
Zoning Hearings: None

Zoning Office USE ONLY!
Reviewed by: [Signature]
date: 3/23/91
prepared by: CHW